

# THE Hongkong Weekly Press

AND

## China Overland Trade Report.

Vol. LXV.

HONGKONG, SATURDAY, 29TH JUNE, 1907.

No. 26

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### BIRTH.

On June 22nd, at 2 Cameron Vill s, Peak, the wife of L. G. BIRD, of a daughter.

### DEATH.

On June 19th, at sea, on board the N.Y.K. steamer *Kosai Maru*, JOHN ALOYSIUS SULLIVAN, aged 56 years.

## Hongkong Weekly Press.

HONGKONG OFFICE: 10A, DES VŒUX ROAD C1.  
LONDON OFFICE: 131, FLEET STREET, E.C.

### ARRIVAL OF MAIIS.

The English Mail of 30th May arrived, per the s.s. *China*, on Wednesday, the 26th instant.

### FAR EASTERN NEWS.

The Osaka Locomotive Company is reported to have as many orders in hand as it can undertake. The company is now making 246 sets of bridge girders, weighing 3,393 tons, for the Government railways; two tank engines for the Formosan railway; and 400 wagons (broad gauge) for the South Manchuria Railway. The 400 coal trucks ordered for the Kyushu Railway have just been completed, and 14 sets of bridge girders for the Formosan Railway are now being fitted up. The company is at the present time making bridge girders weighing 511 tons to the order of the Osaka Municipality.

In a recent report to the Government, the Japanese Consul at Bombay stated that the demand for beer in India exceed 11,000,000 gallons a year, with a tendency towards further increase. Of this quantity 6,000,000 gallons were supplied by breweries in India, and 5,000,000 gallons were imported from other countries, 93 per cent. being supplied by England, and only 7 per cent. by other countries. During 1905, 4,000,000 gallons of Japanese beer were imported into India and the greater part of this amount was sold on trial in and about Calcutta, little being known about Japanese beer in the neighbourhood of Bombay. The Japanese Consul pointed out in conclusion that as Indian merchants were beginning to direct their attention to Japanese trade, if Japanese beer was sent to India at low prices—selecting the best quality—it is possible to extend the market of Japanese beer in India.

An extraordinary general meeting of the Hotel des Colonies Company, Ltd., was held at Shanghai on June 20th to consider a special resolution to reduce the capital of the Company. Mr. A. J. Hadley moved and Mr. F. W. Evans seconded the following resolution:—That the Capital of the Company be reduced from Taels 225,000 (Shanghai Sycee) divided into 9,000 shares of Taels 25 each to Taels 112,500 (Shanghai Sycee) divided into 9,000 shares of Taels 12.50 each and that such reduction be effected by cancelling capital which has been lost or is unrepresented by available assets to the extent of Taels 90,000 and by returning from out of the sinking fund to the holders of the 9,000 shares that have been issued a sum equal to Taels 2.50 per share thus reducing the nominal amount of all the shares from Taels 25 each to Taels 12.50 each. The resolution was carried nem con.

His Excellency the Officer Administering the Government has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinances passed by the Legislative Council:—Ordinance No. 8 of 1907.—An Ordinance to amend the Public Health and Buildings Ordinance, 1903; Ordinance No. 9 of 1907.—An Ordinance for giving to a Foreign Company called the Nederlandsch-Indische Handel-bank certain facilities for carrying on its business in the Colony.

The Directors of the *Shanghai Mercury* Ltd. in submitting their seventh annual report and the audited statement of the company's accounts made up to the 31st April last, are glad to be able to congratulate the shareholders upon another very successful year's working. Profit and loss account.—After paying an interim dividend of 4 per cent. in December last, writing off Tls. 7,154.69 for depreciation, etc., reducing the goodwill account by Tls. 5,500, placing Tls. 3,000 to reserve for bad and doubtful debts, and providing for directors and auditor's fees, the balance to credit of this account amounts to Tls. 5,961.55 out of which the directors propose to pay a final dividend of 5 per cent., absorbing Tls. 5,250, and to carry forward the balance of Tls. 711.53

Again the pirates have been busy in the vicinity of Hongkong, and again they have boldly brought junks which they have pirated into the harbour. On the 2nd instant three cargo junks left Pakhoi for Hongkong, the owner of the craft being in the last vessel to cast off from her moorings. The vessels kept in company until the 15th instant when the boat carrying the owner lost sight of the other two, and arrived in port safely. The crews of the other two vessels, unfortunately, were overpowered by pirates in Macao waters. As they threaded their way through the islands near Macao a small craft was observed in their course, but the crews evidently suspected nothing, and continued on their way until a few shots fired across the bows warned them to luff up. The imperative command was obeyed, and when a number of armed men boarded the traders and covered the crews, they promptly obeyed the further command to go into the cabin. When all were within, the doors were made fast and the pirates took charge. After continuing the voyage for some hours they decided to get rid of the crews and when near the island of Lui-t-chi, which is some distance from Macao, they stood up to the wind, and lowering a small boat bundled the crew into it, after which a few of their number pulled them ashore and returned to the junks. Then the vessels were headed for Hongkong, arriving here some days afterwards.

Meantime the owner was getting anxious about his other vessels and proceeded to search the harbour, eventually finding the two pirated junks at Shaukiwan. Great was his surprise, however, to find new crews on board, and suspecting what had happened, he reported to the police. Shortly after he left the junks, the pirates also thought it was time to go, and when the police returned they were missing. The police, however, acted expeditiously, with the result that four men were arrested—one at Yaumati and three at Shaukiwan. They appeared before Mr. G. N. Orme at the Police Court yesterday and were charged with bringing stolen property into the Colony. The case was remanded.

## WANTED MORE ENTENTES.

(*Daily Press*, June 24th.)

Although, as we have frequently found occasion to remark, our hopes of universal peace and disarmament are not profound, it is pleasant to be able to point out that the peace of the Far East is in a fair way to be practically prolonged and assured. The "yellow peril" ghost is being most effectively laid, and with the disappearance of national nervousness there are bound to be fewer calls to arms. The Powers with interests in the Extreme Orient may now safeguard those interests very securely and inexpensively by following the excellent example of England and France. Taking the past record of alliances and ententes under observation, it must be admitted that including those that looked least pacific their general tendency has been to reduce the risk of war. The idealists who pay visits to the Hague are all very well in their way, but it is the diplomats who are really accomplishing things. The universal peace ideal has failed to convince, but almost as useful has proved the general chorus of agreement with the first principle of the old Jingo rhyme: "We don't want to fight." It is too much for any people to say they will never fight again: commonsense recognition of the facts of existence demands the retention of the *pis aller*; but all are now fairly unanimous on the point that war should be the last shift. It is so very costly, not only as to its immediate and direct expenditure, but also in its effects upon trade and other development. Capital requires a state of peace before it can be applied to good purpose, commerce thrives on peace, and wealth and prosperity increase under its regime. Hongkong and Singapore must be indirectly benefited by the Anglo-Japanese understanding; and now the vast French colonies of Indo-China are free for unrestricted enterprise. Though the hesitations and fears that may have hampered it hitherto were, as we remarked the other day, the result of illusion, it is satisfactory to feel that even an imaginary dragon is removed from the path. It will be highly satisfactory all round when the obstacles standing in the way of a similar understanding between America and Japan are destroyed. Japan is not doing anything to bolster them, and though she has frequently repudiated any improper designs in the Philippines or Hawaii, the air will be clearer when there is a hard and fast entente. If Washington can only succeed in overcoming the constitutional flaws that permit individual states to nullify Federal treaties, such an agreement with Japan may be confidently expected, as a logical sequel to the others mentioned. Then further, it has been suggested, would follow a Japanese understanding with Holland, who has large colonial stakes in these parts, and whose relations with the new Power have long been such as to pave the way for the most enthusiastic of ententes. With one more rapprochement, between Germany and Japan, the list should be about complete, and the peace of the Far East, so necessary for the recovery of trade and commerce, would be practically assured.

Recently there have been large amounts of antimony exported from Hunan to Hankow. A telegram from Hankow says that foreign merchants intend to regulate the price of antimony by not buying for three months from Hunan. The Bureau of Mines in Hunan has decided not to sell any antimony during the 5th month.

## THE TRIPLE ENTENTE.

(*Daily Press*, 25th June).

Perhaps the most interesting of the recent alliances has been that just concluded between England, France and Spain. Historically the alliance is of course unprecedented: there have been agreements with France about Spain, and agreements with Spain about France; and a general agreement with Portugal as regards both, but an agreement wherein all three were united in a common interest has up to this seldom or never been conceived as possible. Yet there is nothing in the present agreement to denote that any particular change has come across any of the contracting parties. Under like conditions a tripartite agreement such as the present, would have been equally feasible a century ago. The fact is, of course, that neither France, Spain nor England has anything to gain from the other: England discovered a century ago that it was useless for her to try and get a footing on French ground; she blockade and bombarded, but found herself for all her trouble without a square inch of territory. France found the same in Spain after the Peninsular War, for the old boundary stones had not moved forward an ell. Spain had discovered the like two centuries before; so that the foundation had long been laid, had there only been some reason for erecting a substantial edifice on it. A century ago Algerine pirates still were a source of danger in the Mediterranean, and although the fact did not lead to any special alliance which was probably not needed, the three Powers acted very much in concord. In 1816 Lord EXMOUTH bombarded Algiers in return for accumulated insults offered to the flag; and France and Spain were quite content. But the punishment was not sufficient, and in 1830, France had to repeat it; but she went further, and to make matters sure took the town and deposed the DEY. England and Spain were well content to be rid of an annoyance, which moreover was always threatening the peace of Europe. Some snarling took place afterwards, and when England in 1840 took Acre, and handed it back to Turkey from whom it had been taken by MEHEMET ALI, France threatened war; but found it was not worth fighting for. But things were coming together, and in 1879 England and France together attempted to put Egypt to rights, and placed MOHAMED TEWFIK on the Kedivial throne. Some two years after occurred the rebellion of ARABI, when England decided to go to war, but France would not be persuaded to join, and withdrew in a huff. This for some years revived old jealousies, which fortunately confined themselves to words; but these disputes which had year by year been becoming less serious gave way in 1904 to a general convention when a fair balance of grievances was struck, and the old scores finally closed, so that unless new grievances should arise, of which there are none on the horizon, the alliance may be looked upon as good for an indefinite period. This last left it open to France and Spain to come together, and a little conversation convinced both that while they had a great deal of common interest, they had practically nothing between them to give rise to jealousy or misunderstandings that could not be removed by a little good-humoured giving way on both sides. The most difficult thing to adjust was Morocco; but on comparing notes both found they had far more in agreement than difference, and once the task was assayed the whole fell into order naturally. Curiously Germany here

tried to make a little diversion, doubtless thinking that each would be only too ready to seize an apple of discord. The result was the exact opposite, and actually closed any breach that might have been impending, and so the first act of the comedy ended.

The most instructive thing in all the play has been undoubtedly that neither France, Spain nor England has found itself in consequence of their agreements called on to make the slightest sacrifice. Neither of the three has in the smallest affair found itself in such a position that it had to yield up a point of vantage ground or undergo any detriment to its dignity or influence as an independent state. One President in France having finished his term of office was able to shuffle off the responsibilities of his post, and retire into private life with the proud feeling that he had done his duty, and gained the approbation of his fellow men whether at home or abroad. The King of Spain undisturbed by smouldering discontent at home, or by warlike threats abroad has been in a position to enjoy his life as no sovereign of Spain has ever been able to do before him; while in England King EDWARD has found it possible for a monarch without loss of personal or national dignity to take part in the amenities of social life as fully as the most happily circumstanced of his subjects; and so the act, as picturesque a one as ever was staged, closes without a discordant sound.

Nor apparently does the second act open under less genial surroundings. Auspiciously the first scene rises with the presentation of a small baby to the assembled Ambassadors of all the Powers. The Queen of Spain, already endeared to her new subjects as she had before been beloved by her fellow subjects in England, has just given birth to an heir to the crown of Arragon and Castile, and the good news is emphasised by the additional fact that the babe is strong and healthy, and the mother in good trim. For two generations Spain had been in evil case, and the succession jeopardised by pretenders. Under the late monarch, ALFONSO XII, affairs at home commenced to pull themselves together but he died before the birth of his successor, and his Queen, MARIA CHRISTINA, had to assume the Regency. Fortunately she was equal to the emergency, and not only governed the Kingdom well, but had her son carefully educated for his high task. But the old evils could not be eradicated in a generation, and before the young King came to govern personally, the old system of misrule had lost to Spain the greater part of her remaining Colonial possessions. Inheriting his mother's capacity for government, the young monarch on assuming the helm set himself to unite the factions of his somewhat unruly kingdom; and by his active and generous disposition won his way to the hearts of his subjects. It was with these recommendations that he made a tour through the courts of Europe, where his engaging manners made him personally popular, and where he met his destined bride. Many prejudices had to be overcome in both countries before either the English or Spanish people could be brought to look favourably on the alliance; and probably no other monarch than King ALFONSO, whose active life and love of sport had made him a favourite with the English people, could have succeeded. What King ALFONSO's personality had done in England that of his destined bride was soon to do in Spain. When, therefore, the course of events had brought France and England together generally, and affairs in Morocco had thrown France and Spain almost literally into each other's arms; and King ALFONSO's

marriage had socially united Spain and England, it was but natural that all three should desire to see the harmony accented by a formal acknowledgement. This is the true explanation of the understanding which contains no new feature not already discounted. Germany has been inwardly fancying, it is true, that the alliance is deliberately intended against her: but of this there is absolutely no evidence. As a fact, Germany has preferred to act alone, and without conferring with her neighbours; and this though possibly intended in a perfectly friendly spirit has as a matter of necessity left her isolated. The man who has determined to play his game off his own bat, however friendly his fellows may be, can hardly look forward to being consulted about the intricacies of the game; and this is what Germany, as led by sensible men, is at last beginning to perceive. On the result depends, most probably, not the peace, but certainly much of the pleasure of the future international amenities of Europe.

#### THE YANGTZE PORTS.

(*Daily Press*, 26th June).

The second fascicle for this year of the trade statistics issued by the Inspectorate General of Chinese Customs covers the ten Yangtze ports, Chungking to Chinkiang. From most of these places comes a note of disappointment in the report for 1906. At Chungking, the year opened well, with fairly brisk trade for three months, but depression ruled the rest of the year. High exchange hampered trade a good deal. There was fortunately, a good rice crop, and foreign goods were imported three million taels in excess of the previous year's value. Cigarette making is a new industry of this locality, which had already six match factories. It is also a big opium growing district, but the poppy crops were much damaged last year. Life insurance has "caught on" with the people of Chungking. Ichang in 1906 had to be grateful for good food crops. The figures of this place are of very little assistance, as it is a mere transhipment stage and taxing station for the trade of Szechwan. Also, the Customs have changed their system of accounts again, and goods in transit no longer swell the gross value, so that comparisons with previous figures could only mislead. The foreign trade up here was represented by ninety thousand taels worth of direct transhipments from Hongkong. A Cantonese dealer introduced last year a sample shipment of Patna opium, with results not encouraging. Native opium was, however, increasingly popular, and 41,887 piculs passed the Customs as against 36,311 in 1905. Shasi, the next port, did not enjoy a prosperous year. Floods, famine, and high exchange caused general distress, and the last foreign firm (except shipping companies) closed its doors. Lack of facilities for loading cargo, and the irregular steamer service, prevent trade growth here. Between Shasi and Hosueh—chiefly on Tukkechow—a considerable amount of washing for gold is done. From 200 to 300 men are earning an average of 200 cash each a day. The gold fetches only 27 oz. of silver per ounce locally. The record for Changsha in 1906 is a stormy one. Early in the year they had 26½ inches of rain. The river rose eleven feet in a day. The Bund was submerged nearly ten feet, "higher than anything recorded during the past 300 years." Sanipans, "on a level with the eaves, thronged what are usually busy thoroughfares." Those who remember the contention that Changsha was sufficiently "open" by offering foreign merchants a

settlement outside the walls can now realize the position. All business was entirely suspended for several weeks. Yet there was a scarcity of water towards the end of the year, and the approaches ceased to be navigable much sooner than usual. The only item of particular interest in the Yochow report is the contemplated introduction of a service of motorboats between Hankow and Changsha, which ought to reward the enterprising Chinese merchant concerned. Hankow reports an actual gain of business, although the figures generally show a decrease. There was more stuff, but dear silver made the value appear less. The development of the settlement proceeded apace, and shipping showed another great increase, 316,685 tons more than in 1905. The Kiukiang Commissioner emphasizes the success of Japanese trade; Wuhu reports a serious falling off in exports, while imports remained about level; and Nanking experienced some improvement. New foreign-style shops and houses were introduced, and though rents doubled, the demand seemed unaffected. The figures showed a slight decrease in volume of trade, but for reasons already indicated, these comparisons are no longer to be relied upon. Trade all round was brisker though local crops were bad. At Chinkiang, with similar drawbacks, the revenue reached the highest total hitherto recorded. Of an increase of over two million taels, or fifty per cent., in the total value of foreign imports the Japanese contributed half, their share having more than doubled. Hongkong sent an increase of Tls. 800,000, the Americans Tls. 287,000 more, British Tls. 23,000 more and the Germans Tls. 45,000 more. Direct trade with Singapore decreased by Tls. 179,000. The Japanese contribution consisted mainly of coal, matches, and sugar. Sugar imports of all kinds increased nearly Tls. 1,500,000.

"Strong rivalry has arisen between sugar from the refineries in Japan and that from refineries in Hongkong. In July a Japanese committee met the Chinese sugar brokers of Chinkiang and placed before them samples of sugars comparing favourably in colour, taste, and smell with other sugars on the market. These samples were submitted to a European expert, who pronounced them to be extracts from Java cane, of which Japan is now importing considerable quantities. It seems to me probable, however, that Japan would also use a large proportion of Formosan cane in her refineries. In August they placed about 12,000 bigs. of refined sugar on the market to compete with the produce of the Hongkong refineries at the following prices for similar grades: Japanese, Tls. 6.11, Tls. 5.90, and Tls. 5.70 per picul; against Hongkong, Tls. 6.15, Tls. 5.95, and Tls. 5.70 per picul. In December these prices had fallen to Tls. 5.30, Tls. 5.25, and Tls. 5.15, as against Tls. 5.55, Tls. 5.35, and Tls. 5.10. The Chinese have found by experience that the Japanese sugar under storage deteriorates rapidly in appearance, taste, and smell, indicating a want of knowledge in the refining process. With the advantage of importation in subsidised steamer lines and, it is said, of bounty-fed factories, the competition is likely to be maintained. The Swatow sugars, though dearer, being hand refined, are sweeter, and for sweetmeat making are not likely to be displaced, as 1 catty is equal to 1½ catties of foreign refined sugar."

#### AMERICA AND CHINA.

(*Daily Press*, 27th June.)

Those who have any knowledge of Mr. T. R. JERNIGAN or of his writings do not need to be told that he is an American of considerable China experience, whose views are always worth listening to. He has recently published in our Shanghai contemporary a long and interesting article on the trade

relations of America and China. In it he contends that the Americans themselves are to blame for the weakening of those relations. Good products plentifully and quickly delivered, together with the Chinese recognition of the fact that America desired to annex none of China's territory, put American merchants in a strong position about the time that the Philippines were captured. The chief reason for the loss of their popularity was the mistake made with the Hankow-Canton railway concession. The re-selling of that concession at a profit, instead of completing the contract to make the line, convinced the Chinese that the Americans were "nothing more nor less than scalpers in the markets of China." When Professor JENKS was in China to reform the currency of the Empire, he said to Mr. JERNIGAN that the action of the American Company in connection with the Hankow-Canton railway transaction had been placed before him with an emphatic reminder of its turpitude by every Chinese official he had talked with and had clouded his mission with the ominous signs of failure. All the trouble since experienced in connection with that line was being charged against the American Company. The later boycott of American merchants and goods would not have been so widespread and intense, Mr. JERNIGAN says, but for that incident; and he considers "the harshness of the Customs officials at San Francisco" would not have been sufficient as an excuse, without some "ulterior preceding cause." What he calls "the San Francisco incident" was "more of a pretext than a real cause." We will not detract from the importance of the railway incident. The Chinese certainly would not enjoy paying Americans a cumshaw like that. But if Mr. JERNIGAN would recognise that there was much more than one San Francisco "incident," he need not go further for ulterior preceding causes of displeasure. The ill-treatment of Chinese on the California coast was no new item of news to the Chinese. Such incidents have always been plentiful; they are going on still; and angels could not persuade the Asiatics that the Americans of that locality have ever been models of tolerance or courtesy. The boycott came, not with the first pretext, but with the first recognition (due to study in foreign methods and manners) that a weapon lay to their hands. At least they thought it did. The weakest people would be powerful if that weapon were always available, but it is a weapon that requires special ammunition—powder of unanimity and shot of coherence. It was the failure of ammunition that caused the failure of the weapon, as we said it would at the time. As a loyal American, we can understand Mr. JERNIGAN's grudging admission that "possibly some harshness may have been used," but it is now too late in the day to accept it as the whole truth. The general body of Americans is suffering because of the virus in a limb; they are all having to pay for the determination of the Californians, just as the English may one day suffer inconvenience owing to Australia's local policy.

#### CHINA ASSOCIATION REPORT.

(*Daily Press*, 28th June.)

Most of the questions mentioned in the annual report of the China Association have, as the Hongkong Chairman expressed it in a letter to the London committee, "now passed for the time being into a quiescent stage." Some progress is noted, but on the whole the year's record cannot be called a jubilant one. In sum, instances the representations of the China Association

have caused wrongs to be righted, while in others, to use another expressive phrase of Mr. MURRAY STEWART's, the Association has been condemned "to the silence which befits impotence." It was considered, naturally, as the report remarks, that the tour of the Chinese Commissioners "implied a definite intention of reforming and renovating much that, however efficacious and respectable in the past, is admittedly unfit for present conditions." They spoke, indeed, as if that were the purpose, but the Report just received notes that "the prospect is still obscure." It will not be a hard matter for some members to agree with Mr. ARCHIBALD R. COLQUHOUN in one of his recent writings, wherein he says that "the actual policy of the Peking authorities has never varied. They have never tackled reform in any practical spirit." The China Association is less pessimistic; it says the doubt whether "the great bureaucracy which has been accustomed for centuries to batten on the people is prepared to forego the privileges it has misused" remains unsolved, whereas Mr. COLQUHOUN and others would tell us that doubt has received fresh confirmation. There are pregnant words in this very report which can scarcely be said to hold out hope to the reflective.

It has been a persistent misfortune for China that her rulers have always tried to assert themselves by resistance rather than by progress, by keeping foreigners at arm's length rather than by engaging their help. The wave of Chauvinism which is now passing over the country is due probably to various causes, among which the defeat of Russia by Japan, the guarantee of Chinese integrity in the Anglo-Japanese treaty, and jealousy of the superior consideration shown to Japan are probably chief. But deep down also is the traditional vanity of the literate, fostered during centuries of isolation, which resents foreign intrusion and resents a superiority which Japan was wise enough to admit and to obviate by study and assimilation."

In a way, it is pointed out, China has admitted this, by her attempts at encouraging foreign schooling; but those attempts have been spasmodic, and foiled (notwithstanding a big semblance of success) by the usual drawbacks. Dr. MORRISON was impressed by the numerous provisions for the new education he encountered in his recent travels, but Peking has also been impressed by the discontent bred by a smattering of "Western learning", and the recent Edict referring to Confucius was one sign of the withdrawal of its countenance. This instability may be put down to the irritability engendered by consciousness of weakness. Army reform (so far as it has gone) and the "guarantee of integrity" before mentioned might account for the activity of the reactionaries; but there is no proof that Peking trusts the Japanese any more than it loves them, and so bids are made for other foreign sympathy by protestations and promises of reform, constitutional, juridical, and other. Constitutional reform is very much in the clouds; and the loudly advertised juridical reforms resolved themselves into the abolition at Shanghai of certain severer forms of punishment—an abolition, curiously enough, not appreciated there, and the status quo has since been restored, probably since this undated Report was written. Our "impotence" to further these reforms requires no better illustration than China's failure, despite repeated urgings prompted by the Association, to carry into effect the contract in the second clause of the Mackay Treaty, and to establish a uniform currency. It is not so much Chinese inertia that is to be fought, as the strange reluctance of the British Government to insist upon its rights.

## HONGKONG LEGISLATIVE COUNCIL.

A meeting of the Hongkong Legislative Council was held on the 27th instant in the Council Chamber.

### PRESENT:

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT, Hon. Mr. F. H. MAY, C.M.G.

Hon. Mr. A. M. THOMSON (Colonial Secretary).

Hon. Mr. H. H. J. GOMPERTZ (Attorney-General).

Hon. Mr. C. M. MESSER (Colonial Treasurer).

Hon. Mr. W. CHATHAM (Director of Public Works).

Hon. Mr. A. W. BREWIN (Registrar-General).

Hon. Mr. F. J. BADELEY (Captain-Superintendent of Police).

Hon. Dr. HO KAI, M.B., C.M., C.M.G.

Hon. Mr. WEI YUK.

Hon. Mr. E. A. HEWETT.

Hon. Mr. E. OSBORNE.

Hon. Mr. H. KESWICK.

Hon. Mr. A. G. M. FLETCHER (Clerk of Councils).

### MINUTES.

The minutes of the previous meeting were read, and confirmed.

### AN EXPLANATION BY HIS EXCELLENCY.

HIS EXCELLENCY—Gentlemen, before proceeding with the business I would like to advert to some remarks that I made at the last meeting of this Council when speaking on the Bill for the amendment of section 175 of the Public Health and Buildings Ordinance. I said that I thought the hon. member nominated by the Chamber of Commerce had in his mind a certain block of buildings when he was speaking on the Bill. I had that particular block of buildings in my own mind because it is a typical hard case for the relief of which, among others, the Bill to amend the section was introduced, and because it is the most important of the hard cases concerning which the Sanitary Board has asked the Governor in Council to deal with. Therefore this particular block of buildings had been, and still is, the subject of correspondence between the Sanitary Board and the Government. It was therefore, I submit, not altogether unreasonable that a connection between the block to which I have referred and the Bill should exist in the mind of the hon. member as it did in my own mind. It never occurred to me when I made the remarks I did that my words would be construed as imputing improper motives to the hon. member. There could be no question of axe grinding in the matter, because the Bill was not introduced at his instance but on my own initiative in order to give relief to various buildings and to this block in particular. I may say I have taken some interest in the matter, and had myself only recently visited the block in question. However the hon. member took my meaning up otherwise, and I can only assure him that I had no intention to question his singleness of purpose, and that I regret that any words of mine should have been capable of such interpretation. And, gentlemen, while expressing regret that I should, even unintentionally, have wounded the feelings of the hon. member, may I remind him that officials have feelings too, and that the charge of want of honesty in dealing with the compensation clauses under the Public Health and Buildings Ordinance was not and is not appreciated by men who, under the leadership of as thorough and honest and straightforward a man as ever occupied the chair I have now the honour of occupying, namely Sir Henry Arthur Blake, endeavoured to the best of their ability to deal justly and impartially between taxpayers who are not property owners and taxpayers who have the fortune, or shall I call it misfortune, to have an interest in property. I say that official members of this Council under the leadership of the Governor I have mentioned endeavoured to do their duty justly and impartially between the parties. I have mentioned when the compensation clauses of the Public Health and Buildings Ordinance were under consideration by this honourable house (applause).

### FINANCIAL MINUTES.

The COLONIAL SECRETARY, by command of H.E. the Officer Administering the Government, laid on the table Financial Minutes Nos. 21 to 25, and moved that they be referred to the Finance Committee.

The COLONIAL TREASURER seconded, and the resolution was agreed to.

### THE CUBICLE QUESTION.

Hon. Dr. HO KAI—Your Excellency, I rise to move the series of resolutions standing in my name, and as a matter of convenience, Sir, I would beg leave to move these resolutions en bloc since they are very closely connected with each other, and after due consideration and discussion they may be put singly and separately from the chair. At the meeting held on the 13th instant, your Excellency, while speaking on the question of cubicles, made use of the following words—"I am in great hopes that the community as a whole will take this subject into their most serious consideration, and try to arrive this time at some method of dealing with this question which will really settle it once for all." In your hope, Sir, I share, and it is to give an early opportunity to the members of this Council, and also to the public at large, of considering and discussing this question, and of arriving at some definite idea regarding it, that I now bring this resolution forward. I hope that after due deliberation we will be able to suggest to the Government some method by which the question can be dealt with in an effective manner, and that we will not continue to tinker with it, but grasp it firmly and be able to make provisions in a new law to deal with the question once for all. Now, Sir, with regard to resolutions 1 and 2, which read:—1. That in the opinion of this Council a new law relating to cubicles in Chinese dwelling houses is urgently required. 2. That it is desirable that such new law should include some method of dealing with the cubicle question which will be of a thorough nature and will settle the matter once for all. I will not dwell on these resolutions at considerable length because I believe that a few extracts from the report of the Sanitary Commission, and also from the speech of your Excellency delivered on the 13th instant in this Council will make it clear to everybody that the terms of these two resolutions are perfectly true, and will make them quite acceptable to honourable members of this Council and to the public at large. I beg Sir, to quote from page 9 of the Sanitary Commission's report on the subject of cubicles, the remarks contained in paragraphs 59 to 69 (reads). This from the report of the Commission, and then, Sir, I would refer to your address of the 13th (reads). After these extracts, Sir, I think it is quite needless for me to add anything to insure the acceptance of these two resolutions by the Council. Now, in coming to resolution 3: "That the scheme for pulling down the upper stories of every third house in the blocks of houses in China town and the provision of lateral windows in the upper stories of the adjacent houses is a desirable and effective scheme." I have come to a definite proposal which was started or conceived some five years ago. It had been communicated to the Government, I think informally, and it has received consideration from the Government. Plans have been drafted by my hon. friend the Director of Public Works opposite, and copies laid on the table showing how to carry out the scheme, and what the houses left would look like. The adoption of the scheme meant the pulling down of every third house in a row of houses, which gives open spaces between the houses, into which lateral windows could be opened and sunlight admitted. Models were also made by an officer of the Sanitary Department showing the houses proposed to be altered or built under this scheme, and I believe these models are to be seen in the Medical Officer's room at the Sanitary Board, where any gentleman can pay a visit and view them. I have personally taken some part in recommending this scheme to the Government, and had several interviews with Sir Henry Blake and the Medical Officer of Health on the subject. The objections advanced to it at that time were two in particular, and these objections succeeded in setting aside the scheme for the time being in favour of

certain suggestions by the medical experts, and which suggestions as we now see, are totally bad in effect. The first objection to the scheme was that it involved a very large sum of money, I think some eight million of dollars. It was said then that the Government would not, and could not, afford such a large sum, not even a proportion of it, a third or a half of it. Now these objections at that time seemed to have a very great deal of influence with the authorities because they thought compensation was given for the loss of cubicles. Under that impression, they justly said they would have nothing to do with it. Why should the Government pay compensation to landlords who put up illegal cubicles on the floors of their houses? And if these cubicles are insanitary, they say, the Sanitary Board should insist on having them removed. Then again they asked why the Government should pay compensation for the removal of those cubicles and the loss of them. That is mistaking our scheme altogether. We use the word compensation, or we might use the word contribution. We were not, and are not asking the Government to give compensation for that purpose to landlords. We only ask the Government to contribute a proportion of the money required for the resumption of certain property which will be converted into open space for the use of adjacent or surrounding houses. I will give an example, and then, I think, hon. members will be able to understand what I mean. There are a row or block of houses of five or six together. Everybody knows the shape of Chinese houses; they are long narrow houses, each house measuring about 15 feet in width externally, and about 50 feet in depth. Internally the depth will be a couple of feet less, say 48 feet and the width would be about 13 feet 6 inches or 13 feet. Now, these houses stand on land carved out to correspond with the size of the house, and that piece of land is registered in the Land Office as section A or B or subsection A or B of that lot. These houses are generally owned by separate owners, and each house is frequently transferred and dealt with as a separate lot. Now, how could the landlords of two adjacent houses who might wish to improve their property and introduce light and air do so without getting rid of the house separating theirs? Clearly they could do nothing unless the Government would step in and resume that house after giving full compensation. Then they could pull it down, either right down or to the first floor, and provide open space for the houses on either side. Of course it would be a question whether the Government would in fact I think it is quite just the Government should insist that the landowners on either side should contribute a proportion—what proportion I don't want to touch upon just at present—but a proportion of the cost of resuming that house. Then again, if the third house in a block of houses is in the ownership of one particular person, compensation is asked for simply to compensate the landlord for sacrificing one house in three for an open space. Such open space not only benefits his own house, but the Colony at large inasmuch as when the introduction of light and air into domestic dwellings is settled, the sanitation of the Colony of Hongkong becomes a most simple problem, so that objection to this scheme, I think, after certain consideration, cannot be strong. It is not to compensate landlords for the loss of cubicles, but it is to give a contribution of money for the resumption of land to be provided as open space. Now the second objection to this scheme formerly was more or less by the landowners. They said that the partition walls as they were built would be too weak when the intermediate houses were pulled down, and a good deal of expense would have to be incurred by the landlords of the houses on either side to strengthen these walls. That is, of course, an architectural question. I suppose when we get the third house taken down, or before, an architect will be employed, so I can see neither technical nor practical difficulty in strengthening the walls as desired. However, these two objections, as I say, were so strong at the time that they overpowered the recommendation, and the result was that when the Public Health Ordinance No. 1 of 1903 was passed, it contained no provision to carry out this scheme. I have Hansard in my hand for

the session 1902, and I wish to quote just a few lines in a speech of mine made at that time (notes). The Government have disregarded that recommendation and they have tried some other provision. These provisions have, after five years, been found to be ineffectual, and now some new method must be found, and I put this forward, not because it is a pet scheme of mine—not at all, because the scheme was conceived in the first place, I think, by my hon. friend opposite, the Director of Public Works. It has been advocated by myself and several others and I think Mr. Rumjahn, an ex-member of the Sanitary Board, also advocated something of this kind. Now, Sir, let me put the case from the opposite side: supposing you disagree, Sir, to this third resolution, I would want to know in the peculiar circumstances of this Colony, and the peculiar way in which the houses are constructed, and the peculiar way in which the land is portioned out, a better solution of the difficulty. As hon. members know, and the public know, houses of the Chinese type are far too long for their width, and air and sunlight can be introduced into the house only from the front, and after a great deal of difficulty from the back. In the front there is always a lane or a public road measuring from 20 perhaps to 30 feet or more. Thus light can be fairly introduced into the front part of the building. Then, after a great deal of difficulty and a great deal of legislation we have compelled a back yard to be provided varying from a few feet, to say, twelve or fifteen feet. When a back yard like that, or a back lane exists, then a certain proportion of light and air can be introduced into the rear; but the light will never be able to penetrate to the middle of the house. These houses, as I stated before, have an average depth of fifty feet with only a narrow frontage, the internal measurement being about 15 feet. Lateral windows are therefore absolutely necessary in order to give sufficient light and air. Indeed, Sir, I find in the proposals of the Government on the recommendations of the Sanitary Commission, laid on the table at the last meeting, a note regarding the length of these houses. Now, Sir, in houses erected on land hitherto unoccupied by domestic buildings, your proposal to insist upon lateral windows would be all right, but I want to know in other cases, when contiguous houses are being rebuilt, how on earth are we to insist on the provision of lateral windows opening into external air without resumption of portion of the land in occupation of particular landowners. It is the resumption of third houses, and that alone, that can give you the means of insisting on lateral windows. You may insist, but it could not be done otherwise as it is physically impossible, and that is why I say the scheme for pulling down the upper storey of every third house is the only scheme which promises to be effective; in fact, the only possible scheme. And yet, I should be very glad indeed if any hon. member, or any unit of the outside public, could point out a possible plan that would do away with the resumption of property already in occupation. As to resolution 4 "That the principle of just compensation should be recognised in such a scheme," this is the crux of the question. The rejection of the scheme, as I stated before, was owing to the Government's refusal to grant any just compensation, but I have shown you, while speaking on the third resolution, that compensation is not given for the loss of cubicles, but for open space—in fact, for the resumption of a certain portion of land thrown open as open space in order to admit air and light into the surrounding houses. Now the Government may say that even if they accept the price of the contribution towards the carrying out of this improvement, we have not the means of doing so. The estimate is a very large amount, \$3,000,000, but the Government could contribute either a third or half of it, which would amount to about \$3,000,000 or \$4,000,000. How are the Government going to get that money? Now, Sir, in the first place I would remind hon. members that the money is not required all at once. In fact, the scheme requires a number of years to carry out. The quickest time in which we could accomplish it would be from five to six years, and the longest time from ten to twelve years. Then how much does it cost the Government to carry out a scheme which promises to put an end to a most difficult question concerning the sanitation of this Colony? Say we are to expend the sum of \$4,000,000 which we will assume to be a loan at 3½ per cent. for fifty years, and allow one per cent. to go to sinking fund (which I am told would be sufficient in fifty years to pay back the capital bond) that means 4½ per cent. Then it costs the Government \$80,000 a year, and that is all, and in fifty years the whole of the interest and principal will have been paid off. Now gentlemen, is there any difficulty to find this \$180,000 a year? I say there is none whatever. Every year the Government has spent something like \$500,000 on its Sanitary Department. I have not the exact figures at my finger ends, but at the same time I see from the report of the Commission, and also in the estimates for last year, that the average is a little under that figure. Now, if we make a final settlement of the cubicle question, and if we can improve the lighting and admission of fresh air into domestic buildings, then we have done a very great deal toward the improvement of the sanitation of the Colony. We would have no need then to pay large sums of money each year for disinfectants, and what disinfectants in the world are better than sunlight and fresh air. We wouldn't want such a large staff of sanitary inspectors, and we wouldn't want a great number of other things that we deem to be necessary in the present sanitary condition of the Colony. I submit, Sir, that we could easily save from one quarter to one half of the annual expenditure of the Sanitary Board, and this saving would be enough to meet the whole or the major part of the annual expenditure that we will incur. Supposing the Government is adverse to the raising of a loan, then has it the means to carry out this scheme? I say yes, within a very reasonable time, about ten years or so. Since 1903, I think it was in 1903 that it was resolved by the Government to lay aside annually a considerable sum of money for the resumption of insanitary properties, I believe two or three votes amounting to over half a million dollars have been recommended and passed by this Council. The area that is to be resumed is still in the hands of the Government—that is to say the Kau U Fong resumption. A large number of houses at Kau U Fong have been resumed and pulled down, new streets have been constructed, and lots of land have been put up to public auction but the Government did not realise the figure they expected, and I believe the land still remains in the hands of the Government. Now, Sir, I believe if the Government were to devote this money, say a quarter of a million dollars, towards the resumption of every third house, or to contribute towards the cost of resuming every third house and converting it into open space, the Government would be able to do it within ten years, and without spending as it were, anything extra from the revenue of the Colony. Now, Sir, I think I have covered most of the ground necessary for the support of the resolutions. Resolution five is simply brought forward to have someone to take the matter into careful consideration and to report to the Government or make known to the public whether the scheme contained in resolution three is desirable and practical or not. I may have to ask leave after the discussion to amend No. 1 because I feel that the limitation to certain members (official or unofficial) is undesirable. So, with your leave I will amend that clause to read that the committee to be appointed should consider on what principle compensation must be awarded and generally as to the manner in which the scheme should be carried out. I ask leave to strike out the words three officials and three unofficials of this council. I do not intend, Sir, to occupy the time of this Council very long because I should be delighted instead to have a full discussion on this question, and to hear the remarks of hon. members on this subject. I shall reserve my remarks on the last words' point of view till I refer to hon. members. With these remarks I beg to move the resolutions which I have read.

The Hon. Mr. WAI YUK—I have much pleasure in seconding that resolution.

Hon Mr. OSBORNE—Sir, there is probably no section of the Public Health and Building Ordinance which has provoked so much hostility, so much bitterness of feeling or caused so much personal discomfort to the Chinese as that section which deals with cubicles. Conceived in ignorance of the origin of cubicles, of their utility, of their necessity to the working classes of this Colony; or conceived in thoughtlessness, this measure intended for the welfare of the people is undoubtedly excellent in theory but impossible in practice; and so indeed will be any new legislation on the subject which ignores the interests and prejudices of the persons most concerned—whether these persons be of the labouring or the landlord class. Cubicles, Sir, are not a condition of the normal life of Chinese in China; there is, I believe, nothing of the sort in Canton and it follows therefore that their adoption in Hongkong arises, not from choice, but from necessity. And it is clear that on account of the limited areas available for workmen's dwellings, the general high cost of living and other conditions peculiar to Hongkong, one of three things must happen. Either wages must rise so as to enable the working man to rent a whole floor instead of sharing it with others, as he does at present. Or some such scheme as that now under discussion involving as it does eight millions of dollars, will lead to be undertaken. Or the cubicles must remain. Experience during the last few years has already taught us that local economic conditions will not permit wages to rise to such a level as to enable the working man to hire the whole or even half a flat and any measure which tends to increase the cost of labour in Hongkong will react prejudicially upon the Colony's interests and is, therefore, to be discouraged. As to the proposal to remove the upper storeys of every third house, the scheme, as an idea is Arcadian, is excellent, but is, I fear, beyond the sphere of practical work. No doubt it would vastly improve the health of the port, so would any other scheme having the same object in view regardless of cost, but remembering what your Excellency stated at this Council meeting last Thursday, and more especially in view of the threatened loss of so large a proportion of our revenue by the abolition of Opium smoking, I cannot share the complacency with which the hon. the senior unofficial member appears to contemplate an expenditure of eight millions of dollars on what is after all only an experiment, which may or may not prove to be successful, without some very strong evidence that practical and beneficial results will follow. Such evidence, I claim is not forthcoming, or beyond mere assertion and theory there is no justification whatever for supposing that with the introduction of lateral windows plague will cease. My own experience shows that plague which in a certain block of houses where no cubicles existed was at one time rampant, disappeared absolutely under the influence of cleanliness and the destruction of rats and vermin, and as I have already pointed out, Canton, a city without cubicles, has suffered equally with ourselves. There being, therefore, no reasonable grounds for supposing that an expenditure of eight millions in removing walls will purchase immunity from disease whilst we have every reason to believe that cleanliness, which costs next to nothing, will at least assist largely towards that desirable end, I think, we cannot do better than concentrate all our energies and resources in the enforcement of greater cleanliness and the destruction of rats and body vermin, which are recognised as being one of the principal channels by which the disease is conveyed to man. Notwithstanding what has fallen from the lips of the senior unofficial member I am in favour of allowing the cubicle to remain so long as it is constructed of a material that will not harbour vermin, and I feel sure, Sir, that with more effect directed on the lines I have indicated, we shall eventually succeed, perhaps not in stamping out plague altogether, but in reducing it to such small dimensions that this Colony in the future need suffer neither fear nor shame. (Applause.)

THE DIRECTOR OF PUBLIC WORKS—Sir, it is with considerable gratification that I heard the hon. senior unofficial member of this Council advocating the "scheme" which I laid

before the Government now nearly six years ago with a view to overcoming the difficulties which had arisen in dealing with the cubicle question. I think, Sir, that the hon. member was under some slight misapprehension when he said that Ordinance No 1 of 1903 was passed without making any provision for that scheme, because under section 46 of the Ordinance a proviso was added to the effect that any cubicle in any existing domestic dwelling which had a window or windows opening directly on the external air might be inhabited in the proportion of one adult for every 30 square feet of habitable floor space. That, Sir, was intended to encourage the adoption of this type of house to which he has referred. A great deal has been said about the expenditure that will be incurred by its adoption but if hon. members will look carefully at the drawings which have been put in front of them they will see that while under the present law three ordinary houses will occupy an area of 3000 square feet and will only accommodate 34 persons per floor, two houses of the new type of equal size will occupy 2553 square feet and will accommodate 42 persons per floor. It may seem a little curious to refer to houses occupying different areas as being of the same size but that arises from the fact that the buildings are of identically the same dimensions—50 feet by 45 feet—but there is a diminution in the space required in the rear of the new type of building. That being so if any owner of a block of houses should need to reconstruct his block there can be no hardship to require him to build in accordance with this new type. I fail to see in what respect he suffers any loss whatever. He can accommodate an increased number of persons in the same space and can construct his building without any additional expense or if there should be any additional expense it would be very slight indeed—I should say that the balance would be in favour of the new type of house. I confess, Sir, that very considerable difficulty exists in dealing with houses each of which is under separate ownership. It is a most troublesome problem and will have to be carefully considered. Certain of the owners must benefit at the expense of the others. It would seem only fair that these owners should be called upon to contribute very largely towards the cost of carrying out any such scheme. The senior unofficial member made reference also to the loss of cubicles which would be entailed by the scheme but that is not so. The plan shows that under the new scheme there will be 10 cubicles in each floor whereas in the existing type there are only nine cubicles in the three houses so that there will be no loss on that account. The matter will require to be very carefully gone into and it would be somewhat rash to submit any scheme or proposal that would establish the principle of general compensation as is now proposed. In many cases buildings in the city will have to undergo reconstruction within a moderate term of years because they are old and in a very dilapidated condition and if owners of these blocks when re-building are required to reconstruct their houses upon this improved type I do not see that there would be any hardship upon them or any cause for complaint (applause).

The Hon. Mr. HEWETT—Your Excellency, I would like to make a few remarks with regard particularly to what has fallen from the senior unofficial member in proposing the resolutions now before this honourable chamber. In the first place I trust I shall not be ruled out of order in saying that I regret the question has been approached in the way it has. The discussion, I trust, will be of very great benefit to all of us and assist in arriving at a proper decision to do what is the best possible in the matter of reform to be carried out in the interests of the Colony, but personally I should have preferred that the whole question should have been dealt with on broader lines than we have been asked to do under these resolutions on the subject of cubicles alone. Important as that question is, I should rather be asked to debate on the whole and more important question, as the greater includes the less. In this case the cubicle question is the less and a debate on the whole question as dealt with by the report of the Sanitary Commission and as to what reforms in the administration of the Sanitary Department should be carried out in the interests of the community and also what, if any, alteration should be made in the existing Ordinance dealing with the public health of the Colony is,

I take it, Sir, the proper way to approach this subject. I regret very much that my hon. and learned friend on my left should not have seen it from that point of view instead of dealing with the comparatively speaking smaller phase of the question. However we have to deal with the resolutions as they are now before the hon. Council. The hon. unofficial member on my right has practically expressed views with which I am in absolute agreement. I cannot at all agree with the hon. senior unofficial member in this matter of the changed style of buildings throughout a large section of the Colony or that the question of eight million dollars, the estimated expenditure, has been satisfactorily solved. I am confirmed in my opinion by the remarks made by the hon. Director of Public Works. The hon. and learned member on my left spoke of the Government paying compensation in the event of every third house being pulled down but unfortunately he did not go into details to show that compensation should be paid to the landlords of the first and third houses when the Government had enforced the principle of pulling down the intermediate houses. It appears to me that this would entail considerable expenditure—how much it is impossible to say—but we all know the style of building which exists in Hongkong. I do not say that they are altogether jerry built, but they are not of a very high standard. The proposal to take a block of houses and pull down every third house would considerably weaken the others. It is also proposed to insert four or five lateral windows in each wall of each floor. It is very obvious that if you are going to cut four or five windows on each floor in what has hitherto been a party wall the probability is that the whole of that wall will have to be rebuilt. I think that we can take it that the cost to the landlords will be very great. The Director of Public Works stated the advantages to the landlords in improvements to the property would be so very great that it would justify the Government in asking them to contribute very largely to this scheme. The present style of house accommodates 34 people, but after the Government had pulled down every third house the landlord would have to contribute to the cost of strengthening the walls of the remaining houses, and under the new scheme there would be 42 people in two houses instead of 34 in three. The landlords would have to contribute very largely and though the increase in revenue would be something like 25 per cent, possibly a very large capital expenditure would be necessary to alter these properties. Furthermore the Director of Public Works seemed to lay a certain amount of emphasis upon the lesser amount of ground space to be occupied by two houses as against the three. The hon. member overlooked the fact that in order to make the lateral windows legal they would need to have 13 ft. external air. The plan shows the width of the house to be pulled down as 13 ft. 6 in. In any case you would have to allow 13 feet. Suppose a man has a piece of ground big enough to build three houses upon under present conditions and is called upon to build two houses under the new scheme, these two houses have to occupy the same area within six inches in width of the existing building and the capital expenditure for the land therefore must remain the same.

THE DIRECTOR OF PUBLIC WORKS—I think the hon. member overlooks the question of the open space in the rear.

The Hon. Mr. HEWETT—Not at all. I am going by the plan and I think I am right. Referring to the definition of external air, windows to be windows must open into external air having a width of thirteen feet. If I am wrong the Director of Public Works will correct me. I think I am right in this instance. Therefore, Sir, if that be so, my contention is that two houses under the new scheme will occupy the same space as three, and therefore it does not appear to me that there will be any advantage to the landlord to pull down an existing house. In fact I am prepared to believe—I am open to conviction as the question has been sprung upon me—that from an investor's point of view, and that is the point of view we must consider, it is better for the landlord to continue this somewhat unsatisfactory style of house rather than incur a very considerable expenditure in improving for the public good his property when he is not going to benefit by it. I understand from the

hon. senior unofficial member—as far as I can follow him—that the landlord of the two surviving houses would not apparently incur a very large expenditure. No doubt we will have the advantage of his views on that point later on. But I cannot see from his remarks in submitting his resolutions to this hon. chamber that the objection from the landlord's point of view to these alterations in the style of house has been removed. The hon. member said there was no practical difficulty in the reconstruction of these walls. I have already dealt with that point. Now, Your Excellency, the fourth resolution deals with the question of just compensation. In your opening remarks your Excellency referring to the question made use of the word "honesty" and pointed out that the official community appeared to be exercised over the use of the word "honesty" as having been an attack upon themselves. That was not in my mind. There are two forms of honesty. There is the honesty of the individual, and any attack on this honesty is very serious. There is the honesty which I may call political, the honesty of governments. As we all know that is a very loose term—perhaps not a very nice one to have to apply to a government you are criticising, but after all it is a very old question. The term has been used in connection with the spoliation of the publican and the spoliation of the Irish Landlord which are or have been burning questions at home. As I pointed out at the last meeting the question of the spoliation of the landlord—I use the word not in its offensive sense—has been more honestly dealt with by the Home Government than by the Government of this Colony who made a mistake when this Ordinance was introduced.

His Excellency—That is not admitted.

The Hon. Mr. HEWETT—I beg your pardon.

His Excellency—That is not admitted.

The Hon. Mr. HEWETT—No sir, I understand that from your remarks; but with all due deference to your Excellency I maintain that where the Home Government has provided for compensation I think I am perfectly justified in drawing a parallel between the Public Health Act of 1875 and section 175 of the existing Hongkong Ordinance of 1903.

His Excellency—I do not admit that that Act dealt more generously than our Act, but even if it did there are imperial Acts subsequent to that Act and other municipal Acts which have formed precedents.

The Hon. Mr. HEWETT—That is so, your Excellency, but I believe the main principle laid down in that Act still obtains and that where a man is called upon by the law to effect certain alterations in his property he is fully compensated. Under section 175 dealing with these improvements forced upon the landlord by the Ordinance of 1903 no compensation is granted at all. I maintain that is wrong. It is spoliation of the individual on the part of the community as represented by the Government in the interests of the community at large. With regard to the question of finance I am absolutely in sympathy with my hon. member on my right. I have always maintained that in a colony like Hongkong—speaking as I do after a great number of years of personal experience—the only way in which we can maintain our proper financial standing is, so far as possible by paying for all our public works whether remunerative or unremunerative out of current revenue, and on no consideration should our credit be touched unless it is absolutely necessary to do so. I maintain that no case has been made out to justify our trenching on our credit to the extent of eight millions. We all know that estimates are very unreliable and the probability is that instead of the cost being eight millions the amount required would be far greater. I personally would be very strongly opposed to entering upon any such scheme, particularly one which to my mind has not been thoroughly discussed and which I am not convinced will give the result which is hoped for it when we rashly embark on such a scheme and pledge our credit to the extent of one and a half millions sterling or a little more. There is one point on which I am glad to find myself in agreement with the hon. member on my left. That is, I do think to a certain extent that some of the money required to improve the sanitary condition of the town might be obtained by more economical

control of the Sanitary Department, but that, after all, is another matter. With regard to the fifth resolution, I think it is altogether premature to appoint a committee, whether as originally proposed or with the alteration suggested by the hon. and learned member. I think myself, as I have stated, that his remarks go too much into small details. There is a wider and deeper question to be considered. If then, after full discussion, and when the report of the Building Ordinance Commission and memoranda of the whole question have been thoroughly threshed out and carefully considered, and possibly when the assistance of certain experts has been obtained, then, and not till then, when the new draft ordinance comes before the Council, the advisability of appointing a committee can be considered. I very much regret to find that in this particular case I am in opposition to the senior unofficial member of the Council, but as matters now stand I find myself quite unable to vote on these resolutions, and I sincerely trust the proposer and seconder will be satisfied with the discussion that has taken place. The remarks made will no doubt be dealt with in your Excellency's reply, and I trust, that being so, the hon. members will be satisfied with the discussion and not press for a division.

The COLONIAL SECRETARY—I will not detain the Council long, as I just wish to make a statement of the Government's policy. The Government has no objection to the passing of resolutions 1 and 2. As regards 3 and 4, they are not prepared to accept them at present; and as regards No. 5, if the hon. member who moved the resolution would withdraw it in favour of another one something in this form, which I shall bring up at the time the division is taken—"That a representative committee be appointed to consider and make suggestions for dealing with the cubicle problem generally." If that resolution is acceptable to him, the Government have no objection to it.

Hon. Dr. HO KAI—Sir, in reply to the remarks of the Hon. Mr. Osborne stating that cleanliness alone would be all that was necessary together with the extermination of rats, and that he does not believe light and fresh air to be necessary.

Hon. Mr. OSBORNE—No, Sir. Excuse me. I didn't say that.

Hon. Dr. HO KAI—I understood you advocated that cleanliness, and said the extermination of rats would rid the Colony of plague without lateral windows or any other means of improvement?

Hon. Mr. OSBORNE—Without lateral windows, that's my point.

Hon. Dr. HO KAI—That is to say you let houses remain constructed as they are now?

Hon. Mr. OSBORNE—Yes.

Hon. Dr. HO KAI—Personally I can believe in them: I can have faith in them, but I am not the medical expert responsible for the sanitation of the Colony, and if you can convince the scientific and medical men of that, I think we have gained everything. But I am afraid that you require a good deal more—in fact, plague may be said to be a disease which arises not from uncleanliness, but from bad light and from the exclusion of sunlight and fresh air. Now as regards his remarks upon the Colony bearing the cost of this large sum of a few million dollars. The Colony is bearing a much greater loss from year to year owing to its insanitary condition. Shipping firms have lost a great deal of money on account of the quarantine laws and other things; tradespeople and manufacturers lose very large sums of money: landlords and tenants also suffer, because putting up cubicles and knocking them down again costs a lot of money; then also the Sanitary Commission found that a large amount of money is wasted in carrying out certain supposed sanitary improvements in houses which have to be renewed again after a little time; by the payment of large sums of money into the hands of subordinate officers as bribes; also in re-concreting houses and so on. These represent a loss to the Colony every year. Then the increasing of the Sanitary Staff from year to year involves a very large loss. But is it not wise to expend a large sum of money at one time to get everything in order, and thereby to make a large saving annually? As regards the remarks

of the hon. Director of Public Works, I think, he must have misunderstood me altogether. I never made the remark at the new style of house would involve the loss of cubicles; rather I think it increases the accommodation, because, as anyone looking at this plan will see, the kitchen is placed in a space previously occupied by the third house, and cubicles can be built right along the side, therefore it can contain many more. What I meant was that the Government refused to give compensation, because they say compensation would be given to the landlords for the loss of cubicles. I say that is wrong. It is not given to the landlords for the loss of cubicles, but in return for the resumption of certain land to convert into open spaces, thus giving facility for lateral windows. As regards the remarks of the hon. member to the effect that he would have preferred the whole question to have been raised rather than the question of cubicles alone, I regret I could not take up the whole subject at the present time. The subject is a very big one and besides we have several other important questions which call for consideration. It is quite premature in my opinion to force the Government. Besides when you deal with this question satisfactorily it will go a long way to settle the whole sanitary problem of the Colony. Now the hon. member asked what advantages the landlords gain in order to overcome the objection to the large expenditure in the strengthening of walls. Well if the hon. member will only look at the plans before him he will find there the advantages which the landlords will derive by coming under the scheme. In the first place the landlords on either side will gain an increased accommodation of over fifty per cent. The rental of the houses must depend of course upon the number of persons the houses can accommodate. Now if you look at the plans of the three houses of the old type you will see that they could only accommodate 34 persons in the three houses. On the other hand two houses with lateral windows will accommodate 42 persons per floor. That is to say the old type of house under the existing law would only be equal to the accommodation of 34 persons, and the three houses altogether could not accommodate as many persons as the two. Suppose each person would give a dollar for their lodging the three houses altogether would only realise \$34 per floor whereas the two houses would realise \$42. Besides they have latrine accommodation occupying about one third of the resumed space. That represents a free gift of a third of the space to them. Therefore they should contribute towards the compensation given for these open spaces and also toward the cost of strengthening or rebuilding their walls. Supposing the reconstruction of a wall is necessary I suppose it would cost about \$2,500. The hon. Director of Public Works may perhaps be able to give us the figures. Say a wall 50 feet long, about 4 feet high, what would be the probable cost of reconstruction, something like \$2,000?

The DIRECTOR OF PUBLIC WORKS—Less than that. The cost of building an ordinary Chinese house is about \$4,500.

The Hon. Dr. HO KAI—A wall ought not to cost more than \$1,000?

The DIRECTOR OF PUBLIC WORKS—About that.

The Hon. Dr. HO KAI—Yes. I don't think there is anything more to answer.

His Excellency—I am very glad that the senior unofficial member brought forward these resolutions although the Government is not able to accept them in their present form. The question involved is one which, in my opinion, transcends in importance all other sanitary questions at the present time. It involves the housing of the Chinese population of this busy city and of the growing city in Kowloon. (Dr. HO KAI—Bear, bear, bear.) Now, gentlemen, let me remind you that the question of restricting cubicles emanated from the Insanitary Properties Commission to which I referred the other day. That led to certain legislation and afterwards at the request of the civil community sanitary experts visited this colony and again examined its sanitary condition. Those experts advised that in the future windowless cubicles should

not be allowed and the present Public Health and Buildings Ordinance was framed in order to prevent the existence in the future of such windowless cubicles. That is the history of the question in a nut shell. We have admitted that the law as drafted is not operative. The question is—Shall we sit down and do nothing to improve the housing of our population or shall we endeavour to improve it? An hon. member has referred to the housing conditions in Canton. Well, there is not the slightest doubt that the Chinese population in Canton is better housed than the population of this wealthy Colony. I think that our endeavour should be to wipe out that disgrace, for it is a disgrace. What measures are best to be adopted on that behalf I am not prepared to say but the Government propose to appoint such a committee as is asked for by the mover of the resolution in order that this very difficult problem may be thoroughly examined by persons who have knowledge of the subject, by persons who have vested interests and by independent persons even though they have expressed opinions adverse to those entertained by the mover of the resolution. When we have the result of the investigation and any suggestions that they may have to offer, I have no doubt that the Government will be in a much better position to come to some conclusion as to what ultimate shape the section in the amending ordinance will take which will deal with cubicles. If the hon. member will accept the resolutions in their amended form they can be now put, but if he wishes the resolutions put as they stand the Colonial Secretary will put his resolutions as amended.

The Hon. Dr. HO KAI—I accept the suggestion made by the Colonial Secretary.

The Hon. Mr. WEI YUK—I agree.

His EXCELLENCE—The Government's position is that they propose to accept Nos. 1 and 2 and 5 amended. As at present advised they can not accept Nos. 3 and 4. With regard to the latter I think they had better be put to the vote.

The Hon. Dr. HO KAI—Very well.

Resolution No. 1 was put and carried nem con. Resolution No. 2 was put and carried nem con.

Resolution No. 3 was put.

His EXCELLENCE—The ayes have it. The Hon. Dr. HO KAI—Divide.

On the vote being taken the Hon. Dr. HO KAI and the hon. Mr. WEI YUK voted for the resolution. The remainder voted against it.

Resolution No. 4 was put.

His EXCELLENCE—The ayes have it.

The Hon. Dr. HO KAI—Divide.

The Hon. Dr. KAI and the hon. Mr. WEI YUK voted in favour of the resolution and the remainder voted against it.

Resolution No. 5 was put, and carried nem con.

His EXCELLENCE—It only remains for me to nominate the committee. I do not know whether they will all be willing to serve, but we will write to them officially to-morrow. I nominate the Colonial Secretary who is treasurer, and who will stand for finance, the Director of Public Works who will stand for engineering, the Medical Officer of Health, who will stand for public health the senior Unofficial Member who has brought forward these resolutions, and will stand for the interests of the Chinese community, the Hon. Mr. Henry Keswick, who will stand for the European property owners, the Hon. Mr. WEI YUK who will represent the Chinese property owners, Mr. E. A. Ram, senior representative in the Colony of the local practising architects, (I understand Mr. Dauby is much engaged at Canton) and Hon. Mr. E. Osborne who will stand for the monumental common sense for which he is most justly celebrated. (Applause.)

#### QUESTIONS.

The Hon. Mr. HEWETT then asked the following questions standing in his name:—

1. Will the Government state if it is proposed to recognise the special services rendered by certain Government Officials in connection with the Commission appointed to enquire into the working of the Public Health and Buildings Ordinance?

2. If so, what, if any, special remuneration is it proposed to grant for the extra work undertaken by the following members of the Hongkong Civil Service?

Mr. Bowen-Rowlands.

Mr. J. Dyer Ball.

Mr. A. Chapman, V.D.

3. Will this remuneration, if granted, be dealt with by a special vote in the Legislative Council?

4. If not, has the proposed amount been already included in some previous vote, if so, which vote, or will the sum granted to those officials be paid out of Miscellaneous Charges?

The COLONIAL SECRETARY replied—The Government propose to grant to Mr. Bowen-Rowlands, Mr. Dyer Ball, and Mr. Chapman a sum of \$200 each and to Mr. Wong Kwong-tin, First Interpreter in the Registrar-General's Department, a sum of \$50 in respect of the services rendered by them in connection with the Commission. Financial Minute No. 16 of 1907, which was recommended by the Finance Committee on the 16th May and approved by this Council on the 23rd May, included a vote of \$650 for this purpose. The payments await the sanction of the Secretary of State.

His EXCELLENCE—The Council is adjourned till this day week.

#### FINANCE COMMITTEE.

A meeting of the Finance Committee was held afterwards, the Colonial Secretary presiding. The following votes were passed:

#### JUDICIAL DEPARTMENT

The Officer Administering the Government recommended the Council to vote a sum of two hundred and fifty-two Dollars (\$252) in aid of the vote, judicial and legal departments C.—Law officers, other charges, typewriter.

The Officer Administering the Government recommended the Council to vote a sum of fifty Dollars (\$50) in aid of the vote, judicial and legal departments, B.—Magistracy, other charges, advertisements.

#### EDUCATIONAL.

The Officer Administering the Government recommended the Council to vote a sum of five hundred and ten Dollars (\$510) in aid of the vote, Education, A.—Department of Inspector of Schools, Victoria British School, personal emoluments (Head Master, house allowance).

#### PUBLIC WORKS EXTRAORDINARY.

The Officer Administering the Government recommended the Council to vote a sum of three thousand eight hundred and forty-nine Dollars (\$3,849) in aid of the vote, Public Works extraordinary miscellaneous, reconstruction of retaining wall at Braeside Inland Lot No. 1523. The Officer Administering the Government recommended the Council to vote a sum of two thousand five hundred and fifty Dollars (\$2,550) in aid of the vote, Public Works, extraordinary miscellaneous, Queen's College latrines and urinal.

#### TYPHOON BRAVERY.

#### MORE MEDALS.

The following letter, addressed to both Mr. E. H. Grainger and Mr. A. M. Harvey of the Hongkong, Canton, and Macao Steamboat Company, Limited, tells its own story:—

Colonial Secretary's Office,

Hongkong, 21st June, 1907.

SIR,—I am directed to transmit to you the accompanying Medal, which His Majesty the King has been graciously pleased to award to you for gallantry in saving life at sea in the typhoon of the 18th September last, together with a letter addressed to you by the President of the Board of Trade.

His Excellency the Officer Administering the Government desires me to record the gratification with which he has learnt of this high recognition of your bravery.

I am, Sir,  
Your obedient servant,  
(Sd) A. M. THOMSON,  
Colonial Secretary.

#### HONGKONG SANITARY BOARD.

A meeting of the Sanitary Board was held on June 25th at the Board Room. The Hon. Dr. J. M. Atkinson (President) presided, and there were also present Hon. Mr. W. Chatham (Vice-President), Dr. F. Clark (Medical Officer of Health), Dr. H. McFarlane (Assistant Medical Officer of Health), Major T. P. Jones, R.A.M.C., Hon. Mr. E. A. Hewett, Mr. H. Humphreys, Mr. A. Shelton Hooper, Mr. Lau Chu-pak, and Mr. G. A. Woodcock (secretary).

#### QUESTIONS.

Mr. HOOPER, pursuant to notice, asked:

1. What action does the President propose to take in the matter of the Cemeteries Bye-laws having regard to the statement of the Government contained in the paper No. 25/1907 laid before the Legislative Council on 13th instant by His Excellency the Officer Administering the Government, to the effect that "the Government awaits the Board's recommendation for amendment of such Bye-laws."

2. Whether it is a fact that notices are always served in the case of nuisances before prosecution, as stated by the Officer Administering the Government in the paper No. 25/1907 in question No. 1?

3. What action does the President propose to take with regard to the statement by the Officer Administering the Government in the paper No. 25/1907 referred to in question No. 1, that the Government is prepared to consider recommendations of the Sanitary Board for amendment of Bye-laws relating to whitewashing and periodical cleanings?

#### ANSWERS.

The PRESIDENT replied:

1. I am prepared to move the appointment of a committee to report to the Board, the committee to consist of the Captain Superintendent of Police, Mr. Fung Wa Chun, and the Medical Officer of Health.

2. As far as I am aware, the provisions of sections 29 and 22 of the Ordinance are always adhered to in case of notices served for nuisances.

3. I am prepared to move the appointment of a committee to the Board, the committee to consist of Mr. Hooper, the Vice-President and myself.

Mr. HOOPER—Sir, I cannot admit the accuracy of the answer you have given to No. 2. I believe the only way we can discuss any question is for a member to move the adjournment of the Board. That is the procedure laid down.

The PRESIDENT—That is all right.

Mr. HOOPER—I move the adjournment of the Board.

The SECRETARY—You move the suspension of the Standing Orders.

Mr. HOOPER—Well, I will put it that way. I will move the suspension of the Standing Orders.

The PRESIDENT—I second that.

Mr. HOOPER—The Commission's recommendation on that point is in clause 261. We also recommended that in no case shall a prosecution be allowed unless notice to abate a nuisance be served on the owner or occupier, in order that he may have an opportunity of doing the work required or appealing to the Board. H. E. the Officer Administering the Government says:—"Such notices are always served in the case of a nuisance." That is why I asked whether it was a fact or not. You, Sir, have just stated that it is a fact.

The PRESIDENT—As far as I am aware.

Mr. HOOPER—As far as you are aware, or the Officer Administering the Government?

The PRESIDENT—As far as I am aware.

Mr. HOOPER—The question is whether the Officer Administering the Government is aware. He made a reply that they were always served. I thought you would have asked him.

The PRESIDENT—The question, I take it, is addressed to me as President.

Mr. HOOPER—It is addressed to you.

The PRESIDENT—And I state, as far as I am aware.

Mr. HOOPER—Very well, Sir, I would like to disabuse your mind, because I know it is only an inadvertence on his part that would cause His Excellency to say anything not strictly true. I am sure he did not know it.

[Mr. Hooper here read a summons against

Chan Tai of 476 Queen's Road West.] The solicitor who let me have a copy of that summons informs me that he had three other summonses for similar offences at the same time, and in none of the cases was any notice served on the owner of the building or works. Here are these four cases, and I am under the impression that with a little trouble we could find a great many more. Having stated this, I would like to say that a magistrate has power under section 23<sup>1</sup>, which states that notice shall be served, to dismiss such a summons. The Commission asked, not only that that should be altered, but that in every case where there is a nuisance the defendant should have an opportunity of applying to this Board or to the Building Authority for protection or exemption before he was prosecuted. In view of these facts, Sir, I cannot quite understand the action of H.E. the Officer Administering the Government unless he was unaware of the facts, and I think if they were brought under his notice it is possible he would modify his opinion.

The PRESIDENT—If you will hand me that paper I will inquire into the matter and find out whether notices were served or not.

Mr. HOOPER—I will go further. I think it would be only fair and courteous to His Excellency on my part if I asked you to hand him these papers.

The PRESIDENT moved that the Captain Superintendent of Police, Mr. Fung Wa-chun and the Medical Officer of Health be appointed a committee to consider the question of the Cemetery Bye-laws, and to report to the Board.

Mr. HOOPER—Would that include all cemeteries, or European, or only Chinese cemeteries?

The PRESIDENT—It would include them all.

The VICE-PRESIDENT seconded the motion, which was carried.

The PRESIDENT moved the appointment of a committee consisting of Mr. Hooper, the Director of Public Works and the President, to report to the Board concerning lime-washing and periodical cleansing bye-laws.

Mr. HOOPER—I should like to see one of the Chinese members on the Committee as he would be of great assistance to us. I would ask that Mr. Lau Chu-pak's name be added.

The PRESIDENT agreed to the inclusion of Mr. Lau Chu-pak's name in his motion, which was seconded by the VICE-PRESIDENT, and carried.

#### THE INSANITARY BLOCK AT MONGKOKTSUI.

A reply was read from the Government relative to the provision of open spaces for houses Nos. 191 to 231 Station Street North, Mongkoktsui. The letter stated that the Government were not prepared to entertain the Board's recommendation that no action be taken to enforce the provisions of section 175 pending the consideration of the report of the Public Health and Building Ordinance Commission, for the reason that the upper floors of the houses in question were so ill-lit and ill-ventilated by reason of the absence of any windows in the rear walls of the upper rooms as to make them insanitary when occupied, as the majority of houses were as family dwellings with the concomitant arrangement of cubicles. Of the 22 houses in the block 20 were occupied and these contained 51 illegal cubicles. If the suggestion contained in the Colonial Secretary's letter of May 8th was adopted, a great improvement in the lighting and ventilation of the floors would be effected, which would justify the allowance of a larger number of cubicles than it is at present possible to permit. The Government requested that the Board would reconsider the matter by the light of the above facts.

Mr. HUMPHREYS—This application has already been before the Board on three different occasions, each time the Board were of opinion that the exemption should be granted, and it seems to me if the Board go back on what they have decided on three separate occasions, they are stultifying themselves. If we as a Board are to do anything that the Colonial Secretary tells us to do, then we are practically puppets and I for one am not prepared to accept that position. It is true the Colonial Secretary may have sufficient influence with the Governor-in-Council to grant or refuse exemptions but on the other hand he cannot compel this Board to take action in a matter that it is not prepared to take. If

you don't make any proposal, Sir, I shall move that the Board take no action in the matter and if you make any proposal I am prepared to move an amendment.

The VICE-PRESIDENT—No.

Mr. HUMPHREYS—Then I move we take no action.

The PRESIDENT—I would draw attention to the fact that the Government in one letter stated that they were prepared to accept the half balcony half kitchen arrangement.

Mr. HUMPHREYS—The owners are not prepared to accept the modification.

Hon. Mr. HEWETT referred to the modification given by the new Ordinance, and alluded to the minutes of the Board on the subject showing that the Board had recommended that the matter stand over pending the report of the Commission. The Commission had now made its report and as a result the Governor-in-Council had suggested that the Board should have power to grant total exemption as well as modification. Under these circumstances he begged to second Mr. Humphreys' motion.

Mr. HUMPHREYS said he would alter his resolution and move that those houses be exempted under the new Ordinance.

Hon. Mr. HEWETT seconded.

The motion was carried by four votes to three.

#### STANDING ORDERS.

A letter from the Government, relative to the Standing Orders of the Board, was read, as follows:—

Colonial Secretary's Office,  
June 12th, 1907.

SIR,—I am directed by the Officer Administering the Government to state for the information of the Sanitary Board that his attention has been called to the absence of any rule in the Standing Orders, governing the question of voting in cases where members may have a pecuniary interest.

In this connection I may be permitted to quote some rulings made in the House of Commons as follows:—"A member may not vote, but it is not absolutely out of order for a member to take part in a discussion where his pecuniary interest is involved (July 25, 1859)." "A hon. member is debarred from voting in questions in which he has a pecuniary interest, though they may be questions when it is becoming for members or a member to withdraw before the division" (March 18, 1864). "This interest must be a direct pecuniary interest and separately belonging to the persons whose votes were questioned, and not in common with the rights of His Majesty's subjects, or on a matter of State policy" (May's Law of Parliament, 9th edition, page 1811).

I am, therefore, to suggest for the consideration of the Board that an additional rule be made to the effect indicated above, with the addition that when any member is so interested he should mention the fact and withdraw or abstain from voting settlement. The suggested rule would also provide for the Chairman in all cases of doubt by the Board on the matter, after the withdrawal of the member concerned. Should any point of law arise in connection with this matter, either now or hereafter the Colonial Secretary would, on being addressed by the Board, obtain the advice of the law officers of the Crown for guidance.

Mr. A. SHELTON-HOOPER minuted—Will you please obtain and annex to these papers as a guide for us, any rule, if any, in the Standing Orders of the Legislative Council governing the question of voting in cases where a member may have a pecuniary interest?

Hon. Mr. E. A. HEWETT—I understand that the procedure in the Executive Council is for a member to withdraw before the discussion on a subject in which he is pecuniarily interested.

The PRESIDENT—I understand there is no rule, but the English practice is followed. I will make enquiries. It is so stated in the Executive Council.

The PRESIDENT—I understand there is no rule dealing with this matter in the Legislative Council where the English practice is followed. I think it is evident that in public bodies some such rule is necessary. I propose that the matter be referred to the Law Officer of the Crown to incorporate it in the standing orders.

Hon. Mr. HEWETT—Do you think it is advisable to have a written rule?

The PRESIDENT—Yes.

Hon. Mr. HEWETT—And not work as they do in the Legislative Council without a written rule?

The PRESIDENT—Yes.

Hon. Mr. HEWETT—I second that.

The motion was being put when

Mr. HOOPER exclaimed—"Oh." Then rising he said—I propose an amendment. If a written rule is not required in the Legislative Council where they rely upon the honour of members not to act in an improper manner. I think it might be left in the same way in the Sanitary Board. There they rely upon the honour of members as in the House of Commons. There are no written rules there, and I don't see why they should impute possibility of improper conduct to members of this Board. If such rules are introduced I can foresee great difficulty. I believe we are to be honoured in the future with the estimates, and no member of the department who draws a salary or even any portion of a salary from the Sanitary Department will be able to vote upon them I cannot conceive a question in which I may be pecuniarily interested, but if any application were to be made in respect of the houses belonging to the Land Investment Company, I am here to make explanations relating thereto, which I think would be to the advantage of the Board, because they would have all the facts before them.

The VICE-PRESIDENT said he thought Mr. Hooper was under some misapprehension with respect to members receiving part of their emoluments from the Sanitary Department.

Mr. HOOPER—Probably we shall have an enlargement of the Board and I can conceive an occasion when, in discussing the estimates it might be necessary to move a reduction of salary affecting one of the members. It is rather remote perhaps, but such a thing might occur. In the circumstances, as no standing orders are required in the Legislative Council, I don't see why they should be required here, and I move that the letter lie on the table.

Mr. HUMPHREYS seconded.

Hon. Mr. HEWETT remarked that as he had seconded the original proposal, he would like to remind Mr. Hooper that in pointing to the mother of parliaments he had been unfortunate in his selection, as the unwritten rules there were rules which were never broken. He agreed that rules should be laid down here, and did no regard that as putting any slight upon any member, official or unofficial, it was permissible for a member to speak, but not to vote on any question in which he was pecuniarily interested. Similarly, he thought that Mr. Hooper was unfortunate in his simile when he spoke about the estimates, as if that rule were applied in the House of Commons when the estimates were under discussion, there would scarcely be a single member who could take part, because most of the members were interested as ratepayers and taxpayers, and a good many younger sons who were waiting for their fathers in the Upper House to pass away, were called upon to vote upon the succession duties. In conclusion he said he saw no objection to such a rule, which would not put a slight upon any member.

Mr. HUMPHREYS said that supposing this rule were passed he might be debarred from speaking on such a topic as he spoke on that afternoon, because he was practically interested in everything in the Colony.

Hon. Mr. HEWETT—It is a question of voting. It is not a question of speaking.

The PRESIDENT—I think the Crown Solicitor will be able to draft a rule which will not offend any member.

On a vote being taken three were for the amendment and four against, the resolution being afterwards carried.

#### CONVENT CHILDREN.

A minute was received from the REGISTRAR-GENERAL relative to the number of infants received into the French and Italian convents.

It stated: I send herewith for the information of members of the Sanitary Board a record of the number of infants received at the French and Italian Convents during the last 20 years. In both convents the number received fell off very considerably after 1891, but whilst at the Italian Convent the numbers have risen

to what they were previous to 1894, at the French Convent the average number received during the last four years is larger than any number received in any single year previous to 1894, except the year 1893.

The average number received in the French Convent per year for the last 20 years is 1,415, while the Italian Convent's average for the same period is 546.

Laid on the table.

#### THE OBNOXIOUS SECT ON AGAIN.

Correspondence was submitted relative to section 175 of the Public Health and Buildings Ordinance, 1903, in respect of Nos. 377 and 379 Queen's Road West. Messrs. Leigh and Orange, architects, wrote stating that each of these houses had an open space in the rear exceeding 50 square feet in area, and that the right of way in the rear could not be built upon. They therefore submitted that the owner had provided the necessary space required by Ordinance 1 of 1903.

The LAND OFFICER intimated that the lane at the rear of these houses was a private one and might be built upon subject to the approval of the Building Authority, which would probably not be granted as the plans for letting out the lot no doubt showed an open lane and were approved subject to that i.e., they would not have been approved without the lane being opened.

Mr. SHELTON-HOOPER—After reading the minute of the Land Officer I think the application should certainly be granted.

Mr. HUMPHREYS—Under what section could the Building Authority withhold permission to build on private property?

Mr. LEE CHU PAK—This application should be granted.

Members agreed that the notice served on the owner should be withdrawn on the condition that the lane at the rear be preserved as an open space.

#### MORTALITY STATISTICS.

The mortality statistics for the week ended May 25th showed that at a death rate of 1,000 per annum the percentage for the week ending May 18th was 19.6; and for the following week 20.5 against 34.1 for the corresponding week last year.

#### SUPREME COURT.

Monday, June 24th.

#### IN APPELLATE JURISDICTION.

#### [BEFORE THE FULL COURT.]

#### DAVID SASOON AND CO. v. YUE WING FIRM.

Judgment was given in the appeal, in which the Yue Wing firm, of 45, Jervois Street were the appellants, and Messrs. David Sassoon and Co. of 8, Des Voeux Road, the respondents. The appeal was against an order made by the Chief Justice in Chambers, in favour of the plaintiffs in the original action.

Sir Henry Berkeley, instructed by Mr. F. X. d'Almada e Castro, appeared for the appellants, the respondents being represented by Mr. M. W. Slade, instructed by Mr. D. V. Stevenson (of Messrs. Deacon, Looker and Deacon).

The Chief Justice said:—The following is the definition of liquidated damages given in the new Encyclopaedia (Vol. IV, page 102) "Whenever the amount to which the plaintiff is entitled can be ascertained by calculation or fixed by any scale of charges or any positive date, it is said to be liquidated, or made clear. But when the amount to be recovered depends on all the circumstances of the case and on the conduct of the parties, and is fixed by opinion or by estimate, the damages are said to be unliquidated." No authority is cited for this proposition, but it seems to me to be very sound law. I acted in the present case on the following variant, which clearly comes within it:—Where the amount to which the plaintiff is entitled is capable of being assessed by a well-known principle of law then the damages are liquidated. With the exception of the above quotation from the Encyclopaedia I have not been able to find any other attempt to analyse the real meaning of the phrase—liquidated demand—but there is one which explains the difference between liquidated damages and penalty, which has certainly some affinity with the present question. It is to be found in the Public Works Commis-

sion v. Hills (1906 A.C. at page 375) where it is said that a sum specified in the contract is liquidated damages and not a penalty when it is a genuine pre-estimate of the creditor's probable or possible interest in the due performance of the principal obligation. The damages are liquidated because of the genuine pre-estimate of their amount. So it may reasonably be said that if the amount of the demand to be inserted in the particulars of the writ can be pre-estimated in a genuine manner on an acknowledged principle of law then it is liquidated and may form the particulars of claim on a specially endorsed writ. Convenience is certainly in favour of this explanation of the term. The defendant is given at once the fullest particulars of the claim made against him. He is not put at any disadvantage for if he contests either the amount of the claim or the principle of law on which it is assessed he will get leave to defend. The case is absolutely different from a claim for damages for breach of a contract which have to be assessed by a jury or the judge. Test the matter by two simple methods. If an application were made to set the case down for hearing before a judge with a jury on the ground that the damages required assessing by a jury of commercial men the application would be refused because the only question is one of law and if the law is right the assessment is already made. Again, supposing the writ not to have been specially endorsed and the defendant not appearing the case was tried in Court ex parte. The claim would be formulated as it is formulated in the particulars of claim, the amounts being supported by vouchers. As to this latter illustration I think it advisable to allude to a point of practice in connection with signing judgment on specially endorsed writs in default of appearance, which has occasioned me some trouble. At Home, I believe, signing judgment in these circumstances is a matter of form. But I have introduced a practice here of always requiring the documents, whether promissory notes or mortgages, or whatever they may be on which the claim is founded to be produced. I have on one or two occasions refused the application because it is bad in law. I can find no authority for this action in the English practice books; but it is a good one in the opinion of the Puisne Judge and myself and we take this opportunity of confirming the practice in the Full Court. Applied to such a case as the present it would require the production of the vouchers before the Registrar before judgment is signed. I am glad that this question has been raised in the way it has been, as it has enabled me to consider carefully the reasons for the order I made on this summons in Chambers, where one is obliged often to work more by instinct than on definite principles, if these are not immediately available. I regret that the Court should not be agreed upon a question of practice but though I cannot pretend that the point is clear I do not in any way see my way to alter the opinion I had formed. The plaintiff was right to issue a specially endorsed writ, the principle I have laid down being applicable to all the several items of his claim. These are (a) for balance of account, (b) for damages for non-acceptance of goods estimated on the difference between the actual price in the contract and the price they fetched upon the market when sold, (c) for auctioneer's charges properly incurred in connection with the sale. The defendant was within his rights in raising the initial question of law whether the claim was properly the subject of a specially endorsed writ. This being decided against him the order I originally made stands, and he may if he thinks fit file affidavits in order to obtain leave to defend. I have not referred to Runnac's v. Mesquita (1 Q. B. D. page 416) because it was one of the early decisions on Order XIV, and it seems to me to go great length. But it was

decision of Cockburn C. J. and it is still quoted as an authority in the White Book. This claim was on a quantum meruit and although the point was not specially argued, because it was apparently not specially taken, the writ was specially endorsed and the case argued on it. The decision supports the proposition in the White Book that a claim for reasonable remuneration not expressly fixed by contract

may be specially endorsed as a debt or liquidated demand.

The Puisne Judge said he regretted to disagree with the Chief Justice. In his opinion two of the three items (the second and third) on the writ did not justify the summary judgment.

The Chief Justice—The appeal is dismissed with costs.

Sir Henry Berkeley said the money was in Court and he asked leave for a stay of execution in order to give appellants time to consider their position.

The Chief Justice—You shall have 14 days.

#### IN ORIGINAL JURISDICTION.

#### BEFORE THE CHIEF JUSTICE (SIR FRANCIS PIGGOTT).

##### AN ARBITRATION CASE.

In the matter of the arbitration between the executrix and the executors of Choy Chan deceased and Tsan King contractor, Mr. M. W. Slade, instructed by Mr. Holborrow of Messrs. Deacon, Looker and Deacon, appeared for the plaintiffs, and Sir Henry Berkeley, K.C., instructed by Mr. Hursthouse, appeared for the defendant.

This was a special case set down for hearing before his Honour by the arbitrator, Mr. W. Danby. Plaintiffs had complained that defendant had not completed certain work in the time stated in the contract and that in consequence they had sustained damage. The arbitrator stated that he was satisfied that there had been unreasonable delay on the part of the contractor and that damage had been sustained by the plaintiffs who claimed that defendant had been overpaid and that they were entitled to a considerable sum in liquidation of damages. On the other hand Tsan King averred that he was entitled to a greater sum than he had received for the work done.

Mr. Slade opened the case at considerable length, after which Sir Henry Berkeley addressed the court, and the case was adjourned.

#### IN ADMIRALTY JURISDICTION.

#### BEFORE THE CHIEF JUSTICE (SIR FRANCIS PIGGOTT), AND THE HON. MR. E. A. HEWETT (NAUTICAL ASSESSOR).

##### A SALVAGE CLAIM.

Judgment was delivered in the action for salvage brought by the Hamburg-Amerika Linie and the master and crew of the s.s. "Aragonia" against the China Navigation Company, Ltd., the owners of the s.s. "Hupeh" her cargo and freight. Mr. M. W. Slade (instructed by Mr. G. Hastings of Messrs. Hastings and Hastings) appeared for the plaintiffs, while defendants were represented by the Hon. Mr. H. E. Pollock, K.C. (instructed by Messrs. Johnson, Stokes and Master).

The Chief Justice found for the plaintiffs in the sum of £1,500, expenses and costs. The expenses were placed at:—Coal, £900, Telegrams, £575; overtime £91; and one day's charter £600. Of the £1,500 the master was to receive £250 and the crew £300. The chief officer and deck officers to count with the chief engineer and officers below in respect to the pro rata distribution of the £300.

The full text of the judgment will appear later.

Monday 24th June.

#### IN ADMIRALTY JURISDICTION.

#### BEFORE THE CHIEF JUSTICE (SIR FRANCIS PIGGOTT), AND THE HON. MR. E. A. HEWETT (NAUTICAL ASSESSOR).

##### A SALVAGE CLAIM.

Appended is the full text of the Judgment delivered in the action for salvage brought by the Hamburg-Amerika Linie and the master and crew of the s.s. "Aragonia" against the China Navigation Company, Ltd., the owners of the s.s. "Hupeh" her cargo and freight.

His Honour said: The s.s. "Hupeh" was lying at anchor disabled in the China Sea in latitude 27.16 N., longitude 121.25 E. and 28 fathoms, on the morning of Dec. 6. She had broken her

propeller shaft at 7.35 on the previous evening and had anchored at 8.30. She had ineffectually signalled to one steamer passing 45 miles on the outside of her at about 5 a.m. At about 11 a.m. she was sighted by the "Aragonie" with the two balls signal, which means "disabled, will you tow me?" The "Aragonie" was steaming to the south on her course which would have taken her about five or six miles on the inside of the "Hupeh." No other vessels were sighted. The sea was rough and the N. E. monsoon was blowing strongly with increasing force, though it had not reached the force of a gale. The wind was variously estimated but it may be taken to be from five to six. The "Hupeh" had on board a cargo valued at \$115,000 and 150 passengers. The captain admitted that at the place where he was anchored he was exposed to the full force of the monsoon, that is to say, if it had risen to the force of a gale, and that in December it may be expected to rise to a strong gale. But he said that even if the wind had increased he would have used another anchor and there would have been no risk of the ship dragging. His observations at 8 a.m. on 6 December agreed within two miles with his position by dead reckoning, taken when he anchored on the evening before; so that so far his anchors had held. He admitted, of course, that he was dependent on his anchors and chains, but he said that if he remained where he was, and if the wind had risen, he would have felt safe; but the "Hupeh" could ride out a strong gale in the open sea, and that there was no cause for anxiety. This is essentially a point to be appreciated by persons familiar with ships, so I therefore put this question to the Assessor. "Was there in the circumstances as narrated by the Captain of the "Hupeh" any cause for anxiety?" His answer is "In December the monsoon may in a few hours increase to force 10. The "Hupeh" being disabled and anchored in 26 fathoms was unquestionably in a position of peril. Had anything happened to the anchors or chains she would have been in a position of very great peril. I am therefore of opinion there was cause for anxiety." I also put the following question, which I believe is the proper one from the point of view of the legal aspect of the case: "Was the position of the "Hupeh" in the circumstances as they could be observed by the "Aragonie" such as to cause her captain to believe that there was cause for anxiety?" His answer is "Yes." The Captain of the "Hupeh" further said:—I signalled to two steamers, not because I was in peril, but because I wanted to get to the nearest port. I had lives and property under my charge and if I remained there I should be imperilling the lives and property under my charge." On this further statement I put this further question to the Assessor:—"Were the signals made in order to convey to the passing steamers the information that the "Hupeh" was in peril, and were they so understood, and if so, rightly understood, by the captain of the "Aragonie"?" His answer is "Yes." I now come to the "Aragonie." There is no difference of opinion as to what took place. Having borne down on the "Hupeh" she steered alongside about a ship's length away from her. A conversation then took place through a megaphone between the two captains. Having decided to do what he could for the "Hupeh" the captain of the "Aragonie" went ahead slowly in order to take up a position ahead of her and get her hawser on board. Before she was clear the "Aragonie," which was very light, her bulwarks being 25 to 30 feet above the water, was caught by the wind and blown across the "Hupeh's" bows in a position of danger. She got clear and by a series of other manœuvres she got right ahead of the "Hupeh" and backed by dragging on her anchors into a position which enabled her hawser after some difficulty to be got on board the "Hupeh." The difference of opinion arises as to whether the whole of this was a seamanlike manœuvre on the part of the "Aragonie." The captain of the "Hupeh" says it was not necessary for the "Aragonie" to have got into the position she did; that it would have been safe for her to have lain on the "Hupeh's" quarter and that he could have held the necessary conversation from the stern of his own ship, or that he could have signalled to her; above all that her captain should have foreseen that the wind might catch the "Aragonie" as

she was like a balloon on the water and should have kept her bows directed away from the "Hupeh"; that the danger into which the "Aragonie" ran was of her own seeking and the result of unseamanlike navigation. In order to enable me to decide the question thus raised I put to the Assessor the following questions:—"Were the manœuvres which the captain of the "Aragonie" adopted (a) for getting within hailing distance of the "Hupeh," (b) for getting within towing distance of the "Hupeh," seamanlike both in conception and execution?" His answer is "Yes." "Was there at any time during these manœuvres danger to the "Aragonie," and, if so, in what degree; and was any of the danger attributable to carelessness or imprudence or unseamanlike navigation on the part of the "Aragonie"?" His answer is "There appears to have been at one time some risk of collision, but I do not consider this was due to unseamanlike handling of the "Aragonie." The vessel was very light with a great exposure of side. In a rough sea with a strong wind it would be difficult to bring the "Aragonie" within hailing distance of the "Hupeh" without incurring a certain amount of risk. I am confirmed in my opinion that the "Aragonie" was handled in a seamanlike manner by the fact that within four and a half hours of first sighting the "Hupeh" the "Aragonie" had taken that vessel in tow and continued on her voyage." The answers of the Assessor are such as I should, as a mere landsman, have expected. I am quite sure that the captain of the "Hupeh" thinks he could have manœuvred the "Aragonie" far better than Captain Ernst; most people, sea captains not being excepted, who are not engaged in the actual work going forward, are critically inclined, and from their position of vantage as observers detect faults in the performance of it by others. I am satisfied that the law does not require the service of the salving vessel to be done in the most seamanlike way possible, but only that what she does should be done in seamanlike manner and that any risk she actually runs in these circumstances is a risk properly to be taken into account in estimating the salvage award. The Assessor's answers conclude this question in favour of the "Aragonie" and I entirely concur with them. The salvage award should be based on these answers. The Assessor is of opinion that no extra risk was incurred by taking the course inside Ochsen, the danger, if any, being limited to the twenty minutes when the vessels were in proximity to that island. I do not see my way to reduce the water question into figures, though undoubtedly the "Aragonie" was short of water and might have run shorter still: but Amoy was always open as a harbour where water could be got. The Assessor is of opinion that the towage was performed in a successful and seamanlike manner, that no towage in the China Sea during a monsoon, with following wind and sea, is unattended with risk, and that it was not such plain sailing as the captain of the "Hupeh" endeavours to make out; and further that in the circumstances of this case the difficulties of towage and steerage of the disabled vessel were considerably increased by the fact that there was a strong following wind and sea. What happened in connection with the breaking of the hawser and the alleged sudden alteration of the course seems to me to be immaterial to the question before the Court. Now, with regard to the salvage award. One point is clear, that in the opinion of the owners of the "Hupeh" the £750 paid into Court is sufficient, apart from the special items of expense incurred as based on the captain's views, which considerably underestimate the risk run. It follows that the amount is insufficient. The Assessor and myself considering the matter entirely independently, have come to the conclusion that the proper sum for award is £1,500, apart from the special items of expenses. I should say that I have paid due regard to the amount awarded in the case of the "Bremen" before arriving at this figure. The captain to receive £150 and the crew £300: the chief officer and other deck officers to rank with the chief engineer and his staff according to their respective grades. The items of expenses agreed to are as follows:—Coal, \$9 10; telegrams etc., \$575; overtime \$90. The demurrage item is complicated by the intervention of Sunday and the notice of sailing given to the Post Office.

In the circumstances I do not feel justified in allowing more than one day's demurrage, i.e., \$600. In all the expenses amount to \$2,200. Judgment will therefore be for the plaintiffs for this amount with costs.

Wednesday, June 26th.

#### IN ORIGINAL JURISDICTION.

BEFORE SIR FRANCIS PIGGOTT (CHIEF JUSTICE).

#### A DISPUTED MORTGAGE.

The hearing of the application by Long Kee, of the firm of Messrs. Fook Wo Chong, merchants, carrying on business at 36 Wing Lok Street, to set aside a deed of mortgage was resumed. The Hon. Mr. H. E. Pollock, K.C., and Mr. H. G. Calthrop (instructed by Mr. A. G. Jackson, of Messrs. Johnson, Stokes and Master) appeared for the plaintiff, while the defendant, Ng Wai, merchant, was represented by Mr. M. W. Slade (instructed by Mr. G. K. Hall Bruton).

Plaintiff purchased certain leasehold properties in Hongkong for \$11,000, and defendant claimed to be the mortgagees of these premises. Plaintiff denied having entered into such a contract.

Mr. Slade having addressed the court, evidence for the defence was called.

#### IN SUMMARY JURISDICTION.

BEFORE MR. A. G. WISE (PUISNE JUDGE).

#### A BROKER'S COMMISSION.

The action in which Bernard Albert, estate agent, sued Lau Kam-ching and Dang Yeng Tang, of 25 Des Vœux Road Central, executors under the will of Dang Chee deceased, for commission due on arranging a loan for defendants, again came before the Court. Mr. F. X. d'Almada e Castro appeared for the plaintiff and Mr. E. J. Grist appeared for the defendants. The original claim was for \$600 but Mr. D'Almada asked leave to amend the writ to \$150.

Mr. Grist said he consented to this. They had agreed to do so in order to avoid the trouble of adding a third party to the action. They had agreed that if his clients were liable they should only be liable for their proportion, \$150. They were agreed on the facts, the only point at issue being whether plaintiff was to receive commission in the event of the mortgage not going through. They asserted that he was to receive no commission unless the mortgage was completed.

His Honour—Somewhat unusual.

Mr. d'Almada—Very unusual.

His Honour—If the mortgage falls through the broker gets nothing.

Mr. Grist—It fell through but not through the fault of the broker.

Plaintiff was called and detailed how he had been authorised to raise a loan of \$60,000. This he had arranged to procure from the Hongkong Fire Insurance Company. In the letter of authority which defendants signed there was no such clause that he was not to be entitled to commission until the transaction was completed. If they had imposed such a condition he would not have undertaken the work. He had mislaid the letter.

Another broker, Mr. A. A. M. da Silva, stated that he had received an order from defendants to raise a loan and when he went to have the order signed he was informed that the mortgage had already been closed. He had seen the document referred to and it contained no clause to the effect that no commission was to be paid unless the mortgage was completed.

Lau Lam Ching, defendant, declared that such a clause was inserted in the document he had signed.

His Honour, after hearing both solicitors, gave judgment for plaintiff with costs.

#### DR. WYNDHAM'S CASE.

The case was again called on in which the Indo-China Steam Navigation Co. sued Dr. Lance et Wyndham to recover the sum of \$1,000 for breach of agreement.

Mr. C. F. Dixen (of Messrs. Hastings and Hastings) appeared for the plaintiffs, and Mr. O. D. Thomson for the defendant.

Mr. Thomson informed his Lordship that he had received a telegram from the defendant, saying that he would be here on Friday. The solicitor therefore asked for another adjournment.

Mr. Dixon objected. His Lordship said before he would not grant another adjournment.

Mr. Thomson suggested that the defendant's evidence *de bene esse* should be taken on Saturday.

His Lordship decided to put the case in Friday's list, and defendant's evidence *de bene esse* could be taken on Saturday.

Thursday, June 27th.

IN BANKRUPTCY JURISDICTION.

BEFORE SIR FRANCIS PIGGOTT (CHIEF JUSTICE).

AUCTIONEER'S FAILURE.

The public examination of Ferdinand Kiene was opened by the Official Receiver.

Debtor said—I was originally with Messrs. Arnhold Karberg and Co. and in 1905 I was a general broker on my own account. In March or April of 1906 I commenced business as an auctioneer with a capital of \$1,000. I had to pay \$600 for my licence so I started with \$400. I had no other property. I discovered I was insolvent about the China New Year. At the end of December I engaged a compradore, who paid a deposit of \$3,000. I put that in the business. It was not security money. There was a document showing he could withdraw the money by monthly instalments. I had only one banking account. My total liabilities were \$7,500 odd, estimated assets \$2,000 odd.

The Official Receiver asked for an adjournment as he had not yet gone into the books.

Mr. Grist consented on behalf of the creditors, and this was granted by his Honour.

IN ORIGINAL JURISDICTION.

A DISPUTED MORTGAGE.

The hearing of the application by Long Kee, of the firm of Messrs. Fook Wo Chong, merchants, carrying on business at 39, Wing Lok Street, to set aside a deed of mortgage was resumed. The Hon. Mr. H. E. Pollock, K.C., and Mr. H. G. Calthrop (instructed by Mr. A. G. Jackson, of Messrs. Johnson, Stokes and Master) appeared for the plaintiff, while the defendant, Ng Wai, merchant, was represented by Mr. M. W. Slade (instructed by M. G. K. Hall Bruton).

The Chief Justice said he could not understand how Mr. Pollock could justify the plaintiff leaving the title deeds in an old biscuit box in his house here while he went to Australia when he had an agent.

Mr. Pollock suggested that the defendant placed them in the biscuit box because he thought that nobody would be likely to look for papers in such a receptacle. It was like the cases where misers had hidden their gold in chimneys. If robbers broke into a house they would naturally break open any locked box to look for valuables but they would not be likely to look in an old biscuit box.

His Honour then delivered judgment. He said: In this case two things only are quite clear. One is that whatever sympathy I may feel for the unfortunate defendant I can take no account of that in my finding on the facts. The second is I shall get no nearer the truth if I spend a week thinking about the facts. It is a curious case whatever way you look at it. A well to do Australian merchant leaving his title deeds in a biscuit box when he had an agent who would have carefully taken care of them, or the same man writing to say that the same deeds can be utilised for raising money. There is scarcely a link between the two stories, the plaintiff's story and the defendant's story. I believe that fraud was committed and that it was facilitated by the mystery which surrounds the use of the long family name, or the several names which Chinamen choose to use. I have great difficulty in determining who committed the fraud but that it must have been participated in by somebody closely connected with the plaintiff is, I think, perfectly clear. I have not the slightest intention of trying to explain my reasons for

the judgment which I am just giving. It would involve the minutely piecing together of the evidence without any very convincing results to either side or myself. I must, therefore, do what a juryman does, and arrive at the best conclusion possible with the facts fresh in my mind. I think on the whole that it involves less facts to disbelieve, to give judgment for plaintiff, but then I must here take into consideration the very unfortunate position in which the defendant has been placed. I adopt entirely the words of Jessel, Master of the Roll, in *Cooper v. Beasley* (reads). I feel I am justified in finding that fraud was committed, and I am justified in finding that through the extreme negligence of the plaintiff somebody was enabled to commit the fraud and so deprive this unfortunate defendant of large sums of his savings. Therefore I make an order that the plaintiff pay all the costs of the case including—which I believe I have the right to do—the costs as between solicitor and client. I want to say one word: It seems a very hard order to make, but when you come to work it down you see the plaintiff's position better—"I have had property; I have been deprived of it by fraud. If this defendant is allowed to retain the property I shall be deprived of my property". I think it only just he should pay all the costs which defendant has been put to in the matter. It is the penalty which he has to pay for his negligence in leaving his documents lying about as they were. Judgment for plaintiff, who must pay all costs.

Mr. Pollock asked to be further heard on the subject of costs.

His Honour remarked that that was the only way in which he could do justice in the case.

Mr. Pollock—It is a tremendous penalty.

His Honour—There are the other remedies. Proceedings may be taken against somebody.

Mr. Pollock submitted there was no power to make a successful party pay the costs of the other.

His Honour replied that Mr. Pollock could move the Full Court.

Mr. Pollock said it might be taken against them that there was no leave to appeal against costs.

His Honour—You shall have leave to appeal on costs.

Mr. Pollock intimated that he would appeal.

MANILA'S POPULATION.

CHINESE COMMUNITY GREATLY DECREASED.

The new Bureau of Health census, which was taken during the month of January, shows that Manila has a population of 223,542 as against 219,941 of the official census of 1903, or an increase of 3,601 or 16.37 per thousand.

The increase by nationalities is as follows:

Americans ... ... ... 810 or 18 per cent.

Filipinos ... ... ... 5,510 or 2 per cent.

Spaniards ... ... ... 375 or 14 per cent.

All other nationalities 248 or 27 per cent.

There has been a decrease in the Chinese population, from 21,230 to 18,028, or 13 per cent; and among those classified as "other Europeans" there has been a reduction from 1,117 to 977, or 12 per cent.

The decrease in the number of Chinese can probably be accounted for by:

1. The large emigration to the provinces which has taken place among the people of this nationality as peace conditions in the outlying districts have become more and more secure.

2. By the operation of the Chinese Exclusion Law, which prevents immigration of this nationality to the Philippines, thus preventing the replacing of the losses caused by the mortality.

3. The few births owing to the small number of wives of Chinaman who live in Manila.

4. The return of many to China to spend the remainder of their lives.

5. The census being taken at a time when a great many Chinamen were visiting their native country to celebrate the Chinese New Year.

The Acting Secretary of the Interior has approved the use of the figures of the census taken by the Bureau of Health, and the same will be used hereafter in compiling all vital statistics.

QUARRY BAY DOCK OPENED.

THE LARGEST IN THE EAST.

Another new dock opened. Such was the news on June 22nd and these who were privileged to be present at the occasion witnessed a spectacle that was inspiring. Certainly it spoke volumes for that enterprise, that determination to overcome all obstacles, and that continued success which has characterised the firm of Butterfield and Swire, and given it a reputation second to none in the East. The new dock, built at Quarry Bay for Messrs. Butterfield and Swire, has the distinction of being the largest in the Far East, and the coincidence that it received its baptism so soon after the new naval dock is, to say the least, remarkable. Both undertakings add immeasurably to the commercial importance of the Colony, and with such indications of enterprise there need be little fear for the future of Hongkong.

In the construction of this dock at Quarry Bay there were unusual difficulties to cope with and great obstacles to overcome. For instance there had to be a severe tussle with nature. But the faith which removes mountains, backed by coolie labour operating under engineering intelligence, succeeded in removing a large part of the hill that touched the sea at Quarry Bay point and in cutting a new road to Shaukiwan. No less than 1,600,000 cubic yards of earth had to be excavated, thus bringing to use, together with the land reclaimed, 51 $\frac{1}{4}$  acres, the area occupied by the works.

Those who remember this part of the island before the work was commenced will marvel at the transformation which has been wrought. The face of nature has been completely changed and though the effect may not be to heighten the scenic beauty of the locality there can be no doubt as to the utility of the undertaking. Stupendous is the only word to describe the work. Part of a mountain has been removed, the sea has been forced to give a portion of land, and a huge dock, looking massive and substantial with its granite foundations, dominates the locality, a triumph to the skill of man.

Now for a few figures which will help to impress the immensity of the dock on the minds of readers. On the coping the dock is 787 feet long, and on the keel blocks 750. At high water level the entrance is 88 feet wide and 82 feet wide at the level of the sill, while the dock has a central width at the top of 120 feet and at the bottom 83 feet 6 inches. The caisson, built of steel, works on bearers and when the dock is open it slides into a special chamber at the side. It weighs 400 tons, and has a collapsible bridge. The pumping gear being installed will be capable of emptying the dock under three hours.

Before leaving the dock itself mention should be made of the huge cofferdam which had to be constructed before the dock could be built. Owing to the bad bottom pilings had to be resorted to, and after incredible labour a cofferdam 600 feet in length was completed in 1905, after three years' work. A sea wall of 3,000 had also to be built, so that it will be seen that the undertaking was one calling for considerable skill and ingenuity as well as a lavish expenditure of money.

Three slipways are placed alongside the dock, and the No. 1 is entitled to the honour of being the largest in the Far East. It is 1,039 feet long, 8 wide, and capable of sustaining a deadweight of 2,700 tons. The other two slipways each measure 987 feet in length. Powerful machinery for hauling is found with each.

Needless to say the equipment of the docks is on the most approved and up-to-date lines. The engineering shops are situated with a view to facilitate the work of repair, etc., and powerful dynamos will supply electricity.

The dock, which is built with cement concrete faced with granite, looks exceedingly well and as the water entered from two slipways on Saturday at noon the visitors burst into cheers. Afterwards a few toasts were given and responded to by Mr. D. Macdonald on behalf of the company and Mr. A. J. Williams on behalf of the engineers.

The erection of building slips for three ships is contemplated at a later date.

## TO PREVENT DUMPING.

The second of the series of lectures promoted by the gentlemen who manage the Chinese public dispensaries with the object of preventing the spread of dumping, was delivered by Mr. Lau Chu-pak at the Ko Shing theatre on June 22nd. In the course of his remarks the speaker said that in 1904 the late Governor, Sir Matthew Nathan, asked the Sanitary Board why the Chinese dumped their dead and how the practice could be successfully stopped. Dr. Clark, Medical Officer of Health, attributed the cause of dumping to the saving of the cost of burial, while the Chinese members attributed it to the fear caused by drastic plague procedure in former years. After His Excellency's inquiries the public dispensaries were started by the Registrar-General, Mr. Fung Wa-chun and the speaker, for the benefit of the Chinese, and to avoid post-mortem examinations which all Chinese in the Colony were so much afraid of. After explaining the objects of these dispensaries, the speaker told of the Public Health measures in existence prior to, and after, 1904. Previous to 1904, when a plague case was notified, the Sanitary Board detached a policeman to mount guard outside the patient's house to prevent the occupiers of any of the floors from moving out their things, or holding communication with their friends. The patient was taken away to the "glass works" in Kennedytown, but the house was not always disinfected at once. Sometimes the inspector with the cleansing gang, whom the Chinese called "rat kings" because of their bullying attitude, did not turn up till the following day, and meanwhile the occupiers were not allowed to go out. During the disinfection the occupiers were required to wear a convict-like garment, and were either sent to the observation block rented by the Government for the segregation of plague contacts or turned out to make the best shift they could where no observation houses were provided. There was no compensation for articles damaged or destroyed. The infected houses had to be lime-washed before they were allowed to be occupied again, and often those who could not find a house elsewhere at once had to sleep under the verandah or on the footpaths with their furniture and belongings piled up beside them. Neither the sick nor the dead were allowed to be removed from the Colony without a special permit. Police cordons surrounded different districts to prevent the inhabitants of one district from removing into another. Soldiers were engaged in visiting house after house in search of the sick, and the dead were buried in chloroform. There could be no doubt that such measures alarmed his hearers, but since 1904, on the strong representation of the Registrar-General, Mr. Fung Wa-chun, the speaker, and other gentlemen having the welfare of the Chinese at heart, the measures have been so modified as to cause the least alarm and irritation possible. Mr. Lau Chu-pak then spoke with regard to the requirements of the law with reference to plague at the present time, and urged his hearers to co-operate with the Government to prevent dumping. If they did not, no further concessions could be given them, neither could the Chinese members of the Board ask for any more. Though the speaker was desirous of doing his best for his countrymen, he could not sympathise with this means of evading the law. It was revolting alike to European and Chinese citizens, and to use a familiar native expression "The souls of the dead would some day settle their account with the perpetrators before the king of Purgatory." In conclusion, the speaker said he could not help saying that all the harshness, friction and hostile feeling they had experienced could have been avoided if those who had the authority and intelligence had pitied those who had not, rather than aggravating the severity of the law by their inconsiderate and unsympathetic action. The Government was always well intentioned in making laws and impartial in administering them, but without the assistance of its officers and men, who were for the most part Chinese, it could not carry out any law successfully. He might therefore be pardoned for saying that the English section of officialdom should not

be held entirely responsible for the grievances of the Chinese, who had been foolish enough to fear the coloured foremen, and the coolies in uniform, and to tolerate their ill-treatment.

## LICENSING COURT.

Mr. F. A. Hazeland presided at a meeting of His Majesty's Justices of the Peace, held at the Magistracy on the 24th June and there were also present Messrs. G. N. Orme, H. R. Craig, W. Bowen Rowlands and Captain Lyons. The business was to consider the following applications:—

1. To transfer from one J. W. Osborne to Owen Elias Owen the Publican's Licence to sell by retail intoxicating liquors on premises at Elgin Road, Kowloon, under the sign of "The Kowloon Hotel."

2. To transfer from one Harry Haynes to Arthur Frederick Davies the Publican's Licence to sell by retail intoxicating liquors on premises numbered 21-31, Queen's Road Central, and 1 to 3, Pedder Street, under the sign of "The Hongkong Hotel."

There being no police objections in either case, the transfers were granted.

## CANTON.

(FROM OUR CORRESPONDENT.)

June 22nd.

## WHEN HE COMETH.

Grand preparations are being made by the merchants to receive Viceroy Shum. A large marquee is being erected near the Tia Tze Wharf at which His Excellency will land. This shed will be prettily decorated with flowers and bunting on the day of His Excellency's arrival. In the evening of that day this locality will be brilliantly illuminated with Japanese lanterns and electric lights. There will be also a grand display of fireworks in front of the Bannermen's Hall. I am informed that nearly all the steam-launches and flower-boats have been engaged by respectable families to watch these proceedings.

## THURNT TAKES.

His Excellency Wu Ting-fu has recently resigned his position as temporary director of the Yuet Han Railway. He has also relinquished his management of the Kowloon-Canton Railway affairs.

## SIX DECAPITATIONS.

Six criminals convicted of kidnapping were executed yesterday.

## LAWLESSNESS.

Wai Chow is in a state of unrest as 98 prisoners have mutinied and escaped with the help of a large band of robbers. These bandits killed several of the guards and took away a quantity of firearms. The authorities have issued rewards to effect their arrest.

## KULANGSU (AMOY) MUNICIPAL COUNCIL.

Minutes of a meeting of the Council, held at the Board Room, on the 4th June 1907:

Present:—Messrs. W. H. Wallace (Chairman), C. A. V. Bowra, A. F. Gardiner, W. Wilson, the Health Officer, and the Secretary.

1. The minutes of the last meeting are read, and confirmed.

2. Superintendent of Police reports the following cases have been heard in the Mixed Court since the last meeting:—

## SUMMONSES.

Contempt of Court 1, Using threats 1, Breach of Municipal Regulations 3, Assault 2, Illegally selling land 1, Perjury 1, Debt 2, Kidnapping 1.

## SUMMARY ARRESTS.

Being in possession of stolen property 1, Burglary 1, Committing a nuisance 1, Cruelty to animals 1, Being on enclosed premises for an unlawful purpose 1, Theft 5, Drunk and incapable 1, Kidnapping 1, Using threats 1.

(Signed) W. H. WALLACE,  
Chairman.

By order,  
C. BERKELEY MITCHELL, Secretary.

## CORRESPONDENCE.

## "THE RICKSHA QUESTION."

[TO THE EDITOR OF THE "DAILY PRESS."]

Hongkong, June 22nd.

SIR,—I see from the reply given by the Government to Mr. Osborne's question, as to what was proposed to be done to improve the ricksha service, that the Government intend to do nothing, and the reason given is that we now have a tramway which takes away a certain amount of custom from the rickshas. This is truly a splendid answer and means, that for all time, anyone of us who has to take a ricksha for a journey out of the line of the tramway or say a short distance when one does not wish to wait for a car will still have to put up with the present disgraceful state of affairs.

I suppose one would be called unreasonable who expected to find in this Colony as effective a service and as good a type of ricksha as that which is to be found in poor little Macao; (which goodness knows is bad enough), but I think we might reasonably expect, and almost insist on having waterproof aprons. These can be made of American cloth and obtained at a small cost—the present aprons are nothing more nor less than a piece of cloth painted with stinking Chinese paint, red inside and black out—and have no pretensions to being waterproof—and should be by chance be attired in white kit—one's appearance after a ride of even 100 yards on a wet day is no doubt ludicrous to others but exceedingly annoying to oneself.—The framework which supports the hood is also painted with some filthy Chinese compound instead of being lacquered, so that after being jolted from side to side a few times owing to the tramlines and other obstacles to be found on our road—one emerges striped all over in black like a zebra. Why should we in this Colony, which is one of the most wealthy have the very worst service of rickshas in the East? Other places like Singapore for instance, not only has its trams—but a first class service of gharies as well, and in addition to these provides two different classes of rickshas—the second of which compares favourably with many private rickshas in this Colony. Nothing can be more contemptible than the little fly-box apologies which we have here; they are so high off the ground that it is a big step, even for a man with long legs—a jump for a small man, and a well-nigh impossible feat for a lady to get into them at all.—I think the Colony will be with me in the hope that Mr. Osborne will not let the matter drop but will open the question again when the new Governor arrives.

Apoloizing for the length of this letter,  
I am yours etc.

H. W. B

A Chinese official states that General Tsih Liang has obtained the permission of Prince Ching to engage an experienced German military officer of medium rank to act as adviser to the Luchunpu (Minister of War), as reported some time ago, and that in view of the coming reorganization of the Imperial navy of China, the aged Prince also intends to employ either an English or a Japanese naval officer to act as adviser to the Naval Department of this Ministry, because it is now believed by the Chinese Government that China will have nothing to lose by taking such a step. Taking into consideration the ignorance concerning modern naval and military affairs on the part of the Controller-General (Prince Ching) the President and Vice Presidents, of this important ministry, it is absolutely necessary for the Central Government to solicit advice from experienced and qualified foreign officers. Naval and military experts are few and hard to find in this Empire at the present time. General Tsih is reported to have telegraphed to the Chinese Ministers in Berlin, London and Tokyo about the matter, so that really capable officers may be found who may do something to help China to reorganize its Army and Navy this time without repeating the mistake made before of engaging foreigners whose services are not desired by their own Government.

Per M. M. steamer *Australien*, sailed on 25th June. For Marseilles:—848 bales raw silk, 150 bales waste silk, 5 cases silk piece goods, 8 packages human hair, 18 cases feathers, 35 packages porcelain and curios, 164 packages tea, 53 rolls matting, 12 cases ylang ylang oil, 6 cases hats, 7 bales tobacco, 15 packages sundries. For Lyons, 535 bales raw silk. For St. Chamond:—5 rolls raw silk. For Bergaun:—10 bales raw silk. For Milan:—85 bales raw silk. For London:—50 bales waste silk.

HANKOW, 19th June, 1907.—The prices quoted are for the net shipping weight excluding cost of packing for export:—

	Per picul
Cowhides, Best Selected.....	Tls. 34.00
Do. Seconds .....	31.50
Buffalo Hides, Best Selected.....	22.00
Goatskins, untanned, chiefly white colour .....	—
Buffalo Horns, average 3 lbs. each .....	7.50
White China Grass, Wuchang and/or Poochi.....	10.50
White China Grass, Sinshan and/or Chayu .....	10.00
Green China Grass, Szechuan .....	—
Jute.....	—
White Vegetable Tallow, Kinchow .....	10.20
White Vegetable Tallow, Pingchow and/or Macheng .....	10.20
White Vegetable Tallow, Mongyu .....	8.50
Green Vegetable Tallow, Kiyu.....	11.00
Animal Tallow .....	10.50
Gallnuts, usual shape .....	14.25
Gallnuts, plum do. .....	17.50
Tobacco, Tingchow .....	—
Tobacco, Wongkong .....	—
Turneric .....	6.00
Sesamum Seed .....	5.40
Sesamum Seed Oil .....	—
Wood Oil .....	8.70
Tea Oil .....	—

#### SHARE REPORTS.

Messrs. J. P. Bisset & Co.'s Share Report for the week ending June 20th, 1907, states:—The week has been a short one owing to the bank holiday on Monday, the 15th instant, which interfered with business. The same inactivity has prevailed and rates have hardly varied at all. The T. T. rate on London to-day is 2/11*4*. Banks.—Hongkong and Shanghai Banks. There is no change in the rate which remains at \$880 nominal. The London rate is £98. Insurance.—A single transaction in Yangtze is reported at Tls. 175. Shipping.—Indo-Chinas. There is no business in this stock. The rate still remaining nominally Tls. 29 for the deferred and Tls. 21 for the deferred. Shanghai Tug and Lighter Co. Ordinary shares have been dealt in at Tls. 47, and the Preference shares were on offer at Tls. 50. Docks and Wharves.—Shanghai Docks. There is no change to report. The cash and June rate at Tls. 75*1* and Tls. 76. A sale has been made for December at Tls. 78. Hongkong & Whampoa Docks. The Hongkong rate has advanced to \$104 buyers. Shanghai & Hongkew Wharves. Business has been very quiet, and if any change is to be reported it may be said shares closed a little easier at Tls. 22*2* for June and Tls. 230 for September. Sugars.—Perak Sugars. A sale at Tls. 82*1* was made for June. Mining.—Chinese Engineering and Mining Co. Shares have been dealt in at Tls. 15.70 and close with sellers at Tls. 16. Lands.—On the 13th the market opened with sellers at Tls. 104 for the old shares, on the 17th Tls. 108*1* was reported and yesterday Tls. 101. New shares are quoted at Tls. 102. Anglo-French Lands. There are sellers at Tls. 103. Industrial.—Ewo Cottons. Some trifling lots changed hands at Tls. 61*1*, the rate subsequently improved and the market closes with buyers at Tls. 62 for June and Tls. 63*1* for September. Internationals. No cash business is reported, but sales have been made at Tls. 51 for December. Shanghai Gas Co. Shares have changed hands at Tls. 106. Maatschappii, &c., in Langkawi. The second interim dividend for this year was paid on June 15 and shares were then quoted at Tls. 29*2* for cash and Tls. 30*2* for September. The market closes with sellers at these rates. Shanghai Sumatras. Shares are on offer at Tls. 108. Miscellaneous.—Hall and Holtz have buyers at \$21*1*. J. Llewellyn & Co. shares are wanted at \$40. Astor House Hotel shares remain at \$28*1*. Hotel des Colonies have been dealt in at Tls. 13. Shanghai Horse Bazaars. There are sellers at Tls. 45. Shanghai Mutual Telephones. Shares are offering at Tls. 58. Loans and Debentures.—Six per cent. Municipal Debentures have changed hands at Tls. 99. Six per cent. Land Investment Debts have been dealt in at Tls. 85.

HONGKONG, 28th June, 1907.—The market has ruled very unsteady during the week under review, chiefly owing to a temporary fall in Hongkong and Shanghai Bank Shares in London on account of a glut of new issue shares thrown on the market. Towards the end of the week, however, with the news of a rapid recovery of the stock in London, everything assumed a brighter aspect, and rates which were inclined to droop quickly recovered. A fair amount of business has been transacted at about the same rates as those ruling last week, and the market closes steady at quotations.

BANKS.—Hongkong and Shanghai. Our market closed last week with sellers at \$875 (cum all), with London at £98. In the early part of this week, however, with a quick decline in the London rate to £91.10 cum all, and to £35 prem for the new issue, the local rate very gradually and reluctantly was forced to follow the drop, but only to a very limited extent, and we may safely say that our local rates were at no time as low as the London ones, and there was no apparent eagerness to sell; in fact, contrary to all expectations, China holders showed all the firmness and London holders the weakness. The weakness in London, however, was as temporary as it was sudden, the market very quickly recovering itself, and at time of closing authentic private advices quote £99. cum all, £76. ex new issue, and £42 prem new issue. A few fractional certificates (1 share's new issue) have changed hands during the week at \$187 to \$190 prem, and a few local sales at \$860 cum all have also been effected. We have nothing to report in Nationals.

MARINE INSURANCES.—Unions have improved to \$760, with a small sale reported at the close, buyers still ruling the market at that rate. Cantons remain quiet and close with sellers at 27*1*, while sales are reported at even a lower rate. We have nothing else to report under this heading.

FIRE INSURANCES.—Hongkongs remain unchanged and without business. Chinas, after small sales at 86 and 87, close with sellers at the latter and buyers at the former rate.

SHIPPING.—Hongkong, Canton and Macao changed hands in the early part of the week at 29*1*, and later at 30 and 30*1*, the market closing with probable sellers at the latter and buyers at the former rate. Indos have been negotiated at \$69 for "prefs" and "def's" conjointly, and more shares are obtainable at that rate. A demand for "prefs," however, meets with no response. This company declares a dividend of 2*1* per cent. and shows a reduction in reserve fund of £71,000. China-Malas have been placed at 15, and Douglasses at \$40*1*. Shell transports, after a small sale at 47*1*, have declined to 4*1* with sellers. Star Ferrys are neglected with sellers and no buyers at quotations.

REFINERIES.—China Sugars continue on the downward path and the rate has fallen to 103, without business. Luzons are on offer without obtaining a bid.

MINING.—Raubs have been placed during the week at 6*1* and 6, closing with sellers at 6*1* and probably lower.

DOCKS, WHARVES AND GODOWNS.—Hongkong and Whampoa Docks have found a small purchaser at 106, closing with sellers at that rate. Kwloon Wharves have been negotiated at 79, but close with small sellers at that. Shanghai Docks have slightly improved to 76, with a small local business at that and at 75. Hongkew Wharves have ruled rather erratic in Shanghai, varying, from advices received locally, from 220 to 223*1*. We have no purely local business to report in this stock. New Amoy Docks continue with buyers at 11*1*.

LANDS, HOTELS AND BUILDINGS.—Hongkong Lands have found further small buyers at 106, but close with sellers at that rate. Kowloon Lands could be placed in a small way at 37, but there are none available at the moment. Humphreys have found further buyers at 10*1*, but sellers rule the market at that rate. We have nothing further to report under this heading.

COTTON MILLS.—Ewo, how an improvement at 63, and Sooy Chees at 33*1*, while Internationals have receded to 50.

MISCELLANEOUS.—China Providents have changed hands at 9 and 8.90. Dairy Farms at 15. Green Island at 16*1*. Peak Trams at 10*1*, and Watsons at 11*1*. China Providents, elements and Watsons close with sellers, while Peak Trams and Ropes are enquired for, the last at

the improved rate of 21. We have nothing further to report under this heading.

Quotations are as follows:—

COMPANY.	PAID UP.	QUOTATIONS.
Alhambra	\$200	\$120
Banks—		\$860, sales
Hongkong & Sh'hai	\$125	£99 c.n. issue
		76 x.n. "
		42, prem.n. "
National B. of China	£6	\$51
Bell's Asbestos E. A.	12s. 6d.	\$7, sellers
China-Borneo Co.	\$12	\$9, sellers
China Light & P. Co.	\$10	\$8 <i>1</i> , sellers
China Provident	\$10	\$9, sellers
Cotton Mills—		
Ewo	Tls. 50	Tls. 83
Hongkong	\$10	\$11 <i>1</i> , sellers
International	Tls. 75	Tls. 50
Laou Kung Mow	Tls. 100	Tls. 82 <i>1</i>
Sooychee	Tls. 500	Tls. 330
Dairy Farm	\$6	\$15
Docks & Wharves—		
H. & K. Wharf & G.	\$50	\$79, sellers
H. & W. Dock	\$50	\$106, sales & sel.
New Amoy Dock	\$6 <i>1</i>	\$11 <i>1</i> , buyers
Shanghai Dock and Eng. Co., Ltd	Tls. 100	Tls. 76
S'hai & H. Wharf	Tls. 100	Tls. 22 <i>2</i>
Fenwick & Co., Geo.	\$25	\$17 <i>1</i> , sellers
G. Island Cement	\$10	\$16 <i>1</i>
Hongkong & C. Gas	£10	\$175, buyers
Hongkong Electric	\$10	\$14 <i>1</i>
Hongkong Hotel Co.	\$50	\$118, sellers
Hongkong Ice Co.	\$25	\$245
Hongkong Rope Co.	\$10	\$21, buyers
Insurances—		
Canton	\$50	\$275, sellers
China Fire	\$20	\$86, buyers
China Traders	\$25	\$90, buyers
Hongkong Fire	\$50	\$325, sellers
North China	£5	Tls. 75, sellers
Union	\$100	\$760, buyers
Yangtze	\$60	\$170, buyers
Land and Buildings—		
H'kong Land Invest.	\$100	\$106, sales & sel.
Humphrey's Estate	\$10	\$10 <i>1</i> , sales
Kowloon Land & B.	\$30	\$37, buyers
Shanghai Land	Tls. 50	Tls. 102
West Point Building	\$50	Tls. 101
Mining—		
Charbonnages	Fr. 250	\$480, buyers
Raubs	18 <i>10</i>	\$6 <i>1</i> , sellers
Peak Tramways	\$10	\$10 <i>1</i> , sales & sel.
Philippine Co.	\$10	\$5
Refineries—		
China Sugar	\$100	\$103, sellers
Luzon Sugar	\$100	\$21, sellers
Steamship Companies		
China and Manila	\$25	\$5, sales
Douglas Steamship	\$50	\$40 <i>1</i> , sales & buy.
H. Canton & M.	\$15	\$30, buyer
Indo-China S.N. Co.	\$10	\$89
Shell Transport Co	£1	48 <i>1</i> , sellers
Star Ferry	\$10	\$26, sellers
Do. New	\$5	\$16 <i>1</i> , sellers
South China M. Post	\$25	\$33, sellers
Steam Laundry Co.	\$5	\$7
Stores & Dispensaries		
Campbell, M. & Co.	\$10	\$20, sellers
Powell & Co., Wm.	\$10	\$88, sellers
Watkins	\$10	\$4, sellers
Watson & Co., A. S.	\$10	\$11 <i>1</i> , sellers
United Asbestos	\$4	\$10 <i>1</i> , buyers
Do. Founders	\$0	\$150
Union Waterboat Co.	\$10	\$12 <i>1</i>

#### VERNON & SMYTH, Brokers.

#### FREIGHT.

Messrs. Wheeck & Co.'s Report, dated June 20th, 1907, has the following:—There is not much change to report in our homeward freight market since last writing except that skins and wool are now rapidly coming to a close, and the green tea season is taking its place, the liners getting the preference of the ~~first~~ class chaps both via Pacific to the United States and via Suez canal to Europe. There is very little doing on the coast and rates have slackened all round since last writing. Although tonnage is limited there is no particular demand in any direction.

## COMMERCIAL.

The Kobe Market Report, published under the direction of the Kobe Foreign Board of Trade, and dated (Kobe) Hiogo, June 18th, 1907, has the following:—

## IMPORTS.

**Cotton.**—American.—The estimated acreage of new crop issued by the agricultural department of the United States on the 1st instant, covered 32,060,000 acres, but the subsequent unfavourable crop condition reported on the 5th idem caused a rise in prices, which, however, are somewhat weaker at the close—Middling for October to November shipment being quoted at Yen 40.20, but no business is reported at this rate. "Spot" remains nominal at Yen 37. **Indian.**—"Forward" rates have risen in sympathy with American, but no business has been done in consequence of high rates ruling in India. The arrival of contracted cargoes, and the closing of mill's half-yearly accounts, has caused "spot" to remain quiet. Quotations are:—Broach Yen 30; Akola Kham-gum Yen 24; Bengal Yen 22. **Chinese.**—Business in both "forward" and "spot" is nominal. Quotations close at Yen 29 for "best" and Yen 26.25 for "common." **Shirtings.** Cotton Goods and Fancies.—Whilst there is no actual change to report, a slightly better feeling exists in cotton goods generally. **Worsted and Woollens.**—On account of the very precarious condition of this market and the advanced prices asked for by suppliers, great difficulty is being experienced in having orders confirmed, and since last report practically no business has been done. **Metals.**—No change. **Sugar.**—Beet.—Market steady and prices somewhat higher. **Cane.**—Raw.—Market is weaker, and prices have declined 10 to 15 sen per picul. **Muscovados.** 12 to 14 average 12½ are quoted at Yen 6 per picul c.f.i. **Osaka Refined.**—With the approach of the rainy season, demand has slackened and the market is somewhat weaker. On the 7th instant 7,500 bags were sold by auction at prices showing no change on those last obtained. **Rice.**—Market steady.

## EXPORTS.

**Tea.**—Since 31st ultimo, 15,112 piculs have been settled as against piculs 14,858 during same period last year. Total settlements to 16th instant are now piculs 31,961, against piculs 32,346 at same date last year. During the interval prices have hardened, and with the deterioration in quality values are decidedly poorer. Lower grades are especially difficult to obtain. **Fish Oil.**—Market firm, with all grades in good demand. 1,000 herring reported sold at Yen 8.70 and 2,000 whale at Yen 9.17½. A considerable quantity of this grade is reported as sold forward, which may considerably affect the market. Quotations:—sardine, Yen 8.50; shark, Yen 8.50; whale, Yen 9.25 per 100 kin. **Copper.**—No transactions and no business owing to the low state of prices at home. **Rice.**—Market firm. **Cotton Yarn.**—A fair business has been doing for forward delivery, and the market is stronger. **Vegetable Wax.**—Market improved and somewhat active; 950 cases reported to have changed hands at Yen 29.25 with further buyers at this price, but refiners are holding for a further advance. **Matting.**—No change to report; with the season coming to a close stocks have been scarce. **Strawbraid.**—Market remains practically the same as when last reported.

The Yokohama Prices Current and Market Report, published by the Yokohama Foreign Board of Trade, and dated Yokohama, June 15th, 1907, has the following:—

## IMPORTS.

**Yarns.**—Values have advanced in "spot" and more business is doing. **Manchester.** is too high to admit of forward business. **Shirtings.**—No change to report. **Fancy Cottons and Woollens.**—The market for Woollens remains dull, but there is every evidence of a revival in the demand for Fancy Cottons and Union Italians. **Metals.**—The movement of stocks in Tokyo still continues at slightly improved prices; but, so far as future enquiries are concerned, a change for the better has yet to be noted. **Kerosene.**—American Oil has been raised two sen, but the market is generally dull. **Sugar.**—The position of the market is unchanged, prices remaining nominally the same as in last Report. There is some demand for German Beet, but owing to high prices now asked by importers business is impracticable for the moment. **Indigo.**—(Natural)—No business passing.

## EXPORTS.

**Tea.**—The market remains unchanged. The second crop has not appeared, but the first lots should be shown within the next few days. Total settlements from May 1st to June 16th amount to 57,774 piculs, against 60,101 piculs at the corresponding date last year.

## GENERAL EXPORTS.

**Fish Oil.**—A few more transactions are reported at Yen 8.50 to 8.60 per 100 kin for June, July delivery. The market is very firm. **Copper.**—No transactions reported.

## SILK REPORT.

The market continues to rule very quiet with a steady downward tendency and hardly any transactions to report. Excellent weather has continued to favour the development of the new crop, and some few samples of new Raws have already been brought in from the interior, the quality of which is very satisfactory. Prices for new cocoons have fallen considerably, and now stand at a parity of about Yen 1,200 for No. 1-½ Shinshu Filatures.

## WASTE SILK.

Market nil. Settlements from May 30th to June 10th 100 piculs. Total Settlements from July 1st to June 10th:—57,700 piculs. Stock on the June 11th is estimated at 5,400 piculs. viz:—Noshi, 800 piculs; Kibizzo, 3,600 piculs Pierced Cocoons,—piculs; Sundries, 1,000 piculs:

## COAL.

Messrs. Hughes and Hough, in their Coal Report of 27th June, state that 24 steamers are expected at Hongkong with a total of 92,200 tons of coal. Since June 14th, 19 steamers have arrived with a total of 64,000 tons of coal.

It also states that Welsh Coal has been entirely neglected, and quotations are purely nominal. In Australian, small sales are reported at \$12 ex-ship. In Japanese only a small retail business doing, sellers offering for forward delivery: buyers, a few, and very little doing. Other kinds neglected.

## Quotations:—

Cardiff.....\$14.00 to 15.00 ex-ship, nominal.  
Australian.....\$11.50 to \$12.00 ex-ship, nominal.  
Yubari Lump.....\$12.00 nominal.  
Miiki Lump.....\$10.00 nominal.  
Moji Lump.....\$6.00 to \$8.00 ex-ship, steady.  
Moji Unscreened.....\$6.00 to \$7.50 ex-ship, steady.  
Akaike Lump.....\$7.75 to \$8.00 steady.  
Labuan Lump.....\$8.00 nominal.

## YARN.

Mr. P. Eduljee, in his Report dated Hongkong, 28th June, states:—A fairly brisk demand has been experienced throughout the past fortnight, and a considerable quantity of goods have changed hands. Prices, however, show little or no change, but there is a hardening tendency for best qualities, while common kinds are weak. At the close the demand still continues, while both buyers and sellers appear satisfied to work on present basis. Receipts have been comparatively small during the interval, and being greatly exceeded by the off-takes, our estimate of stocks shows a satisfactory falling off. The recent boom in American cotton has considerably strengthened Bombay, where it is reported orders to the extent of about 50,000 bales have been placed for the European markets.

Sales of the interval aggregate 8,028 bales, arrivals amount to 1,780, unsold stock estimated at 58,000 and sold but uncleared bales in second hands 37,000 bales.

**Local Manufacture.**—No business is reported  
**Japanese Yarn.**—There is a small but steady enquiry for these spinnings and 215 bales No. 20s have been reported sold at \$121 to 128.

**Raw Cotton.**—At a decline of \$1 per picul a choice parcel of 300 superfine Bengals has found buyers at \$20. Unsold stock 1,650 bales. In China kinds 77 bales Thongchow are reported sold at \$21. Stock 460 bales. Quotations are Indian \$17 to 20 and China \$22 to 24.

Exchange on India has fluctuated slightly and closes weak to-day at Rs. 162½ for T T and Rs. 162½ for Post. On Shanghai 73 and on Yokohama 106½.

The undenoted business in imported and local spinnings is reported from Shanghai during the fortnight ended the 22nd instant, viz:—

**Indian.**—Market firm, sales during the interval amounting to close upon 6,500 bales at prices showing an advance of half to one tael. Estimated unsold stock 105,000 bales.

**Japanese.**—Market slightly easier, sales about 3,000 bales on the basis of Tls. 85½ to 91 for No. 16s, and Tls. 91 to 97½ for No. 20s.

**Local.**—No business from first hand is reported.

## PIECE GOODS.

Messrs. Noel, Murray & Co.'s Report on the Shanghai Piece Goods trade, dated Shanghai, 20th June, 1907, states:—Disappointment is written large over the features of the trade this week at the absolutely lethargic state of the market. It

was certainly thought that there would have been some substantial improvement to chronicle after the settling day, but it has come and gone and the market is just as deadly dull as ever. Some of the dealers have resumed their enquiries, but have not attempted to meet the views of holders as regards prices, consequently nothing whatever has been done in the way of sales from first hands. The Public Auctions, which are really the only index to the market now, show no general improvement, and the trade that is being done is simply from hand to mouth, no one, seemingly, being inclined to take the initiative and buy in anticipation of orders. The dealers all declare that they have ample supplies still on hand to serve for some time more without calling on importers, who have, perchance, to content themselves with the slightly better clearances of old purchases. Yesterday one of our import houses received a letter from their New York Office in which the market for Piece Goods is described as "strong with hardening prices," and adds that the lowest figures on which they should expect to be able to buy would be on the basis of 11s. 9d. C.F.I. Shanghai for Southern 3-yard Sheetings. And even at that price the earliest delivery that can be obtained is November to December, or arrival here during the month of January and February. The Manchester market is amazingly strong, quotations for some goods having touched record prices. The S.W. monsoon has broken over India and the prospects for further buying for that market are improved, which will keep the Lancashire spinners busy and maintain prices all round. Cotton is fluctuating considerably in Liverpool, Mid-American during the interval declined to 7.02d. and recovered again to 7.16d. at the close. The quotation for "futures" on the 17th inst. was 6.72d. The price for Egyptian slightly lower again, namely 10½d. The New York quotations are 11.74 cents, for October and 11.84 cents, Jan. option. Opinions seem to differ as regards the Tientsin market, but there is very little doubt, however, that her overtrading is being very severely felt now. At the same time the over supply does not include everything and they still have to draw on this market for moderate quantities. Newchwang is doing very little though it is hoped that the promised adjustment of the railway tariff at an early date on a more equitable basis as regards the new Ports of entry will eventually restore some of the trade to her. A fairly good trade is being done with Hankow, showing a great improvement over last year in some of the staple makes. Some of the nearer Yangtsze Ports appear to be in a better position and Ningpo continues active. For any current business from first hands we have looked in vain this week, the ideas of holders being much higher than anything buyers will entertain. The Auctions do not show up particularly well this week.

The following is from the weekly Piece Goods Report of Messrs. Ilbert & Co., dated Shanghai, June 20th, 1907:—There is little of fresh interest to report as regards our market, the tendency of which continues firm, though the endeavours of native dealers to establish higher values have somewhat curtailed the volume of re-sales during the short interval under review since the important settling day of the 15th instant. The settling day passed off quietly and easily, one of the results of which has been the relaxing to a certain extent of the attitude of the native banks towards their merchants in the matter of credit facilities. This has already reflected itself in clearances which have improved in volume during the past few days, although inquiries from the principal outlets have barely had time to come forward.

## MISCELLANEOUS EXPORTS.

Per steamer *Scharnhorst*, sailed on 18th June. For Smyrna:—150 cases cassia. For Samos:—25 cases cassia. For Rhodes:—25 cases cassia. For Chios:—50 cases cassia. For Valencia:—100 cases cassia. For Genoa:—625 bales waste silk, 242 bales raw silk, 1 case hats. For Antwerp:—240 bales bamboo, 50 bales hemp, 24 bales leaf tobacco, 2 cases cigars. For Amsterdam:—50 cases cassia, 14 cases chinaware. For Rotterdam/Harburg:—600 cases cassia. For Bremen:—310 rolls matting, 267 bales feathers, 44 bales canes, 3 cases cigars. For Hamburg:—401 bales feathers, 100 cases cassia, 100 bales broken cassia, 75 cases chinaware, 46 cases bristles, 44 bales canes, 35 cases essential oil, 24 cases human hair, 20 cases palmleaf fans, 20 cases human hair, 17 rolls matting, 8 cases feathers, 3 cases blackwoodware. For London:—2 cases cigars.

## EXCHANGE.

FRIDAY, June 28th.

ON LONDON.—	
Telegraphic Transfer	2/4
Bank Bills, on demand	2/2
Bank Bills, at 30 days' sight	2/2
Bank Bills at 4 months' sight	2/2
Credits, at 4 months' sight	2/2
Documentary Bills, 4 months' sight	2/2
ON PARIS.—	
Bank Bills, on demand	274
Credits 4 months' sight	279
ON GERMANY.—	
On demand	223
ON NEW YORK.—	
Bank Bills, on demand	5/4
Credits, 60 days' sight	5/4
ON BOMBAY.—	
Telegraphic Transfer	162
Bank, on demand	162
ON CALCUTTA.—	
Telegraphic Transfer	162
Bank on demand	162
ON SHANGHAI.—	
Bank, at sight	73
Private, 30 days' sight	73
ON YOKOHAMA.—	
On demand	196
ON MANILA.—	
On demand	66
ON SINGAPORE.—	
On demand	7 1/2 p.c. pm.
ON BATAVIA.—	
On demand	13 1/2
ON HAIPHONG.—	
On demand	3 1/2 p.c. pm.
ON SAIGON.—	
On demand	3 1/2 p.c. pm.
ON BANGKOK.—	
On demand	67
SOVEREIGNS, Bank's Buying Rate	\$ 9.15
GOLD LEAF, 100 fine, per tael	\$ 8.00
BAR SILVER, per oz	304

## SHIPPING

## ARRIVALS AND DEPARTURES SINCE LAST MAIL.

June —	ARRIVALS.
22, Fukushin Maru, Jap. str., from Anping.	
22, Hissang, British str., for Hongay.	
22, Stettin, British str., from Singapore.	
23, Australien, French str., from Yokohama.	
23, Frithjof, Nor. str., from Hongay.	
23, J. Diederichsen, Ger. str., from Haiphong.	
23, Nicomedie, German str., from Portland.	
24, Ernest Simons, Fr. str., from Marseilles.	
24, Gregory Apcar, Brit str., from Calcutta.	
24, Hitachi Maru, Jap. str., from Shanghai.	
24, Laertes, British str., from Saigon.	
24, Neumuhlen, Ger. str., from Pulau Laut.	
24, Riversdale, British str., from Sourabaya.	
24, Rubi, British str., from Manila.	
24, Stentor British str., from Singapore.	
24, Ujina Maru, Jap. str., from Moji.	
24, Vienna, British str., from New York.	
24, Wongkoi, German str., from Bangkok.	
24, Yatating, British str., from Wakamatsu.	
24, Yuensang, British str., from Manila.	
24, Zweena, British str., from Samarang.	
25, Benlajig, British str., from Singapore.	
25, Borneo, German str., from Sandakan.	
25, Chowhai, German str., from Swatow.	
25, Fri, Norwegian str., from Hongay.	
25, Japan, British str., from Moji.	
25, Kanju Maru, Jap. str., from Singapore.	
25, Kwan-tah, Chinese str., from Shanghai.	
25, Lauschan, German str., from Hongay.	
25, Ni-sin Maru, Jap. str., from Saigon.	
25, Perlak, Dutch str., from Swatow.	
25, Proteus, Nor. str., from Swatow.	
26, China, British str., from Bombay.	
26, C. Diederichsen, Ger. str., from Hoihow.	
26, Gessan Maru, Jap. str., from Kuchinotan.	
26, Glenfallock, British str., from Singapore.	
26, Haitan, British str., from Coast Ports.	
26, Hongkong, French str., from Haiphong.	
26, Merapi, Dutch str., from Singapore.	
26, Tudor Prince, Brit. str., from New York.	
27, Aldenham, British str., from Kobe.	
27, Amigo, German str., from Hoihow.	
27, Cathay, Danish str., from Copenhagen.	
27, Devanha, British str., from Shanghai.	
27, Katherine Park, British str., from Kobe.	
27, Kimata Maru, Jap. str., from Saigon.	
27, Kiu-kang, British str., from Shanghai.	
27, Petronia, Russian str., from Dalny.	
27, Sado Maru, Jap. str., from London.	
27, S. v. Langkat, Dutch str., from Singapore.	

## June — DEPARTURES.

24, Chowfa, German str., for Swatow.
24, Drufar, Norwegian str., for Swatow.
24, Ernest Simons, French str., for Shanghai.
24, Gulf of Venice, British str., for Moji.
24, Taishun, Chinese str., for Shanghai.
25, Aik Maru, Jap. str., for Seattle.
25, Australien, French str., for Europe, &c.
25, China, American str., for Shanghai, &c.
25, Haiching, British str., for Swatow.
25, Hupeh, British str., for Haiphong.
25, Keongwai, German str., for Swatow.
25, Laisang, British str., for Singapore.
25, Norman Isles, Br. str., for Newcastle.
25, Shosho Maru Japanese str., for Swatow.
25, Tean, British str., for Manila.
25, Tweeddale, Brit. bark, for Kwan Dang.
25, Yunnan, French str., for Shanghai.
26, Canton, British str., for Hongay.
26, Hitachi Maru, Jap. str., for Singapore.
26, Huichow, British str., for Chefoo.
26, J. Diederichsen, German str., for Hoihow.
26, Singan, British str., for Haiphong.
26, Tatsu Maru, Japanese str., for Dalny.
26, Wingsang, British str., for Moji.
27, Benlarig, British str., for Nagasaki.
27, Chiba, British str., for Shanghai.
27, Chi-yen, Chinese str., for Shanghai.
27, Linan, British str., for Amoy.
27, Marie, German str., for Moji.
27, Oanfa, British str., for Saigon.
27, Perlak, Dutch str., for Balik Japan.
27, Stentor, British str., for Shanghai.
27, Yennachar, British str., for Newcastle.
27, Victoria, Swedish str., for Saigon.
27, Yochow, British str., for Shanghai.

Per *Sado Maru*, from Leidon, for Hongkong; Messrs. N. Asoomall and S. Ikeda; for Kobe Mr. and Mrs. G. H. Aitken and child, Mrs. H. Isogawa, Messrs. S. Oku, Y. Hara, T. Arakawa, H. Kita and G. Nakano; for Yokohama, Messrs. T. Yoshie, S. Osawa, K. Suzuki and M. Umeys.

Per *China*, for Hongkong, from London; Messrs. R. C. Walker and J. C. McIntosh; from Colombo, Mrs. (2) Misses Forbes, Mr. G. Blatherwick; from Singapore, Miss Henley, Messrs. P. K. Luyrett, D. C. Alexander, D. R. Paul, C. Watkins and H. N. Coney; for Shanghai, from London, Mrs. T. Jones, child and infant amah, Miss E. Barker, Mr. R. F. Benson; from Marseilles, Miss Kirk, Messrs. W. C. Foster and W. Hawkings; from Brindisi, Mr. T. A. Ross; from Colombo, Mr. J. H. Hamilton; from Penang, Mr. and Mrs. Powell; for Yokohama, from London, Mr. A. Matthews; from Marseilles, Mrs. Scott Young; from Bombay, Mr. and Mrs. R. D. Cochrane.

Per *Devanha*, from Shanghai, for Hongkong, Mr. and Mrs. Jameson, Mr. and Mrs. Templeton, child infant and amah, Miss Collis, Messrs. J. Gibson, Quin, Low and J. A. Troy; for Singapore, Miss Kasten, and Mr. J. L. Smith; for Colombo, Mr. and Mrs. Smith, and Mr. and Mrs. Morris and child; for London, Mr. and Mrs. J. A. Pond, Mr. and Mrs. A. B. Wilson, Mrs. and Miss Arbuthnot, Miss Taylor, Miss Elliott, Miss Graham, Buno Von Wamb, Messrs. Johnson, E. O. Arbuthnot, J. Baddeley, T. Wilson, H. R. Hackney and T. A. P. May; from Kobe, for Bombay, Mr. C. M. Mather; from Yokohama, for London, Mrs. Thompson, infant and amah, Messrs. W. D. Cohen, W. H. Sluks, F. Griffiths and P. Hanbury; for Marseilles, Mrs. and Miss Cullis, and Mr. F. J. Kempster; for Penang, Mrs. Chapman.

Per *Hitachi Maru*, from Shanghai, for Hongkong, Mr. and Mrs. S. M. Laff, Capt. and Mrs. Stanger Leashes, Lieut. and Mrs. C. Ryler, Miss E. Luao, Miss Haulder, Lieut. J. M. Taylor, Messrs. A. T. Frost, I. Ogu, Y. Takata, James Garsden and N. Shimatani; for Singapore, Mr. and Mrs. S. Koto, Minister S. Matsukata, Messrs. K. Horiba, S. Hashimoto, Z. Teiji & J. Takekawa; for Colombo, Messrs. R. S. Richardson, D. G. Pievis, M. Spiteri, G. H. Moohzi and J. A. Shar; for Marseilles, Mistress S. Akidzuki and two children, Dr. Prof. J. Komoto, Dr. Y. Wada, Dr. M. Hayashi, Dr. S. Kusikabe; for London, Capt. J. W. Vale, Messrs. Ed. Challenor, G. Ebers, N. Onuma, T. Nagasaki, S. Yano and E. Pettridge.

## DEPARTED.

Per *Ernest Simons*, from Hongkong for Shanghai, Miss Anna Lum, Messrs. J. M. B. da Silva, Jacobet, Bernard Saundar and Sons, Amoin; for Yokohama, Mrs. Marty Mrs. J. C. Jessawall, Mrs. D. C. Jessawall, and Mr. J. C. Jessawall.

Per *Australien*, from Hongkong, for Saigon, Sœur David, Misses Cuniao and Molinier, Messrs. Georges Vioris and Sébastien; for Colombo, Mrs. Shaw, Messrs. Braby and Hugo Finger; for Bombay, Mr. M. J. M. Manporia; for Marseilles, Messrs. Meurer and Baulieu.

Per *China*, from Hongkong, for Shanghai & San Francisco, Mr. and Mrs. M. Pavia, Mr. and Mrs. L. Getz, Mr. and Mrs. A. R. Tippitt, Mrs. C. J. Farrow, Mrs. J. Y. V. Vernon, Miss G. L. McCash, Miss Lillian Geta, Miss M. H. South, Miss Alice Stroh, Miss D'Qylly, Messrs. H. F. Lishelle, L. Marston, D. Lockburn, Low Boo, J. Thomas, N. S. Forbes, J. J. McDonough, J. W. Cammick, A. Dueas and A. F. Matson.

Per *Aki Maru*, from Hongkong, for Shanghai and Seattle, &c., Mr. and Mrs. Shortridge and 2 children, Mr. and Mrs. J. J. Keegan, Mr. and Mrs. C. D. Hurrey, Dr. and Mrs. Gimlette, R. N. Capt. and Mrs. McCloskey and child, Mrs. Helen Brandes, Mrs. Rutherford, Mrs. Millis and 2 children, Mrs. T. P. Jones, Mrs. T. Idzumi, Mrs. Kraft, Miss Egan, Miss Humphreys, Capt. Bennett, R. G. A., Master Millis, Master Meggie Jones, Messrs. H. J. Rosencrantz, W. A. Kinnan, W. Goulbourn, C. A. Matthews, Scherman, Philip Oranor, Zean E. Martin, Goro, Edward, Mowllis, Simpson, Driscoll, D. Carr and David.

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